Housman Pinx.t Scott Sc.t

Iz. Walton

The Autograph is engraved from an Original in the possession of I. Milner Esq.r

ISAAC WALTON.

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MEMOIRS OF

ISAAC WALTON.

(With a correct Likeness of him, engraved by Scott.)

ISAAC Walton, (author of the Complete Angler,) was born of respectable family, on the 9th day of August, 1593, in the parish of St. Mary's, in the town of Stafford, and died December the 15th, 1683, at Winchester.

In the skilful management of the angle, Isaac Walton is acknowledged to bear away the prize from all his contemporaries; the river which he seems principally to have frequented, for the purpose of pursuing his inoffensive amusement, was the river Lea, which, rising above the town of Ware, in Hertfordshire, falls into the Thames a little below Blackwall: "Unless we will suppose that the vicinity of the New River to the place of his habitation, might tempt him out with his friends, honest Nat and R. Roe, whose loss he so pathetically mentions, to spend an afternoon there."*

The lovers of angling, to whom this treatise is familiar, are apprised, that the art of fishing with the fly is not discussed with sufficient accuracy; the few directions that are given having been principally communicated by Mr. Thomas Barker, who has written a very entertaining tract on the subject. To remedy this defect, and to give lessons how to angle for a trout or grayling in a clear stream, a fifth and much improved edition was published in 1676, with a second part by Charles Cotton, of Beresford, in Staffordshire, Esq. This gentleman, who is represented as the most laborious trout-catcher, if not the most experienced angler for a trout and grayling, that England ever had, to testify his regard for Mr. Walton, had caused the words PISCATORIBUS SACRUM, with a cypher underneath, comprehending the initial letters of both their names, to be inscribed on the front of his fishing house. This little building was situated near the banks of the river Dove, which divides the two counties of Stafford and Derby. Here Mr. Walton usually spent his vernal months, carrying with him the best and choicest of all earthly blessings, a contemplative mind, a chearful disposition, an active and an healthy body. So beauteous did the scenery of this delightful spot appear to him, that, to use his own words, "the pleasantness of the river, mountains, and meadows about, cannot be described, unless Sir Philip Sidney, or Mr. Cotton's father, were again alive to do it."

"Oh my belov'd nymph, fair Dove!
Princess of rivers! how I love
Upon thy flowing banks to lie,
And view thy silver stream
When gilded by a summer's beam!

* "Biographical Dictionary," in the article WALTON ISAAC

And in it all the wanton fry,
Playing at liberty:
And, with my angle upon them,
The all of treachery
I ever learnt industriously to try."

Vide the Retirement, by Mr. Cotton.

The features of the countenance often enable us to form a judgment, not very fallible, of the disposition of the mind. In few portraits can this discovery be more successfully pursued than in that of Isaac Walton.

Lavater, the acute master of physiognomy, would, I think, instantly acknowledge in it the decisive traits of the original:—Mild complacency, forbearance, mature consideration, calm activity, peace, sound understanding, power of thought, discerning attention, and secretly active friendship. Happy in his unblemished integrity, happy in the approbation and esteem of others, he enwraps himself in his own virtue. The exultation of a good conscience eminently shines forth in the looks of this venerable person.

——— " Candida semper
Gaudia, et in vultu curarum ignari voluptas."

During the whole tenor of his life, his innocence, and the inoffensive plainness of his manners, his love of truth, his piety, and the unbiassed rectitude of his conduct, diffused over his mind a serenity and complacency, which never forsook him. Let no one, however elevated in rank or station, however accomplished with learning, or exalted in genius, esteem himself undervalued, when it shall be pronounced concerning him, that his religious and moral qualities are placed in the balance, or compared with those of Isaac Walton.

During Walton's life, five editions of his " Complete Angier," were published, viz. The first, in the year 1653; second, 1655; third, 1661; fourth, 1668; fifth, 1676.

For the Sporting Magazine.

ON WHAT CONSTITUTES TRUE HAPPINESS.

The bliss we covet seems, at distant view,
To all superior; but, when once possest,
It cloys, we spurn it, and another call.
GOOD.

THAT the happiness of life consists rather in expectation than enjoyment, has been so frequently advanced, and so ably supported, by writers of former ages, and so often repeated by those of our own times, that it should seem impossible to urge any thing new on so trite a subject; yet, perhaps, the elucidation of a well-known fact may produce variety where novelty ought not to be expected; particularly if the examples be addressed to those who may never before have seen the object placed in a light adapted to their pursuits.

The man of business has little leisure to peruse the speculations of essayists; and, if he had, no arguments would prove sufficient to convince him, that when he shall have attained the object for which he daily toils, he will at length find happiness elude his embrace, and often at the moment when he fancies he has reached her. Such a man will tell you of the joy which rest from unremitting labour will afford; he will talk of the fatigue of business, anxious days, and sleepless nights; and he will think it madness to suppose, that some years hence (when he shall have acquired

acquired the fortune that his hopes have promised,) he shall not enjoy happiness, which seems so intimately combined with affluence and ease. I will allow, that the prospect of this distant hope is sufficient to excite his utmost industry to possess the promised good; but let him beware how he quits that industry when he thinks he has no longer need of it; let him reflect, that life without employment can never bring him happiness. No human being, however exalted may be his rank and fortune, however enlarged and cultivated his understanding, can long be happy, without some object of pursuit. Life is a ladder on which we climb from hope to hope, and by expectation strive to ascend to enjoyment; but he is miserable indeed, who fancies he has reached his highest hope, or who enjoys the utmost of his wishes; for those who have been most successful in their respective undertakings, have given the gloomiest description of the emptiness of human pleasures. The pursuit alone can yield true happiness; and I affirm, that the most trifling object that has power to fascinate the hopes of man, is worthy his attention. The money-getting trader looks with astonishment at the man of fortune, who neglects the palace of his ancestors, to visit foreign nations, without those views which induce the merchant to correspond with distant countries; and thinks that, were he but possessed of such a family estate, England alone would satisfy his range of happiness; but when we talk of what would make us happy, we always talk of what is not in our possession; and though mankind will sometimes boast of satisfaction, which they know they do not feel; yet it is on the prospect of some future good, that they truly dwell with rapture. Though the man of business may not allow the truth of what I have asserted, the scholar and philosopher will say it is a fact so evident, and so well established, that it is almost as absurd to go about to prove it, as it would be to demonstrate that the sun gives light and heat: yet there is a middle class betwixt the busy and the studious, betwixt the man who speculates with thought too much, and him who never thinks but to get money; I mean the leisure country gentleman, who hunts, or shoots, or fishes, as the seasons or the weather tempt; and who reads sometimes, because he can do nothing else for his amusement. To him I shall address the remainder of this paper; for he only can judge how truly I describe his feelings.

In a warm summer's evening, look at the patient angler, his eye intently fixed upon a floating quill; a little gust of wind deceives his sight, or his hand shakes the line and causes an undulating motion of the cork; his heart bounds with transitory joy; but all is still again, and expectation gives a joy more calm; many minutes now elapse in silent watchfulness; at length his patience is no longer kept in suspense; the float, with frequent jerks, is snatched below the surface of the flood; he feels the tremulous motion in his hand, and pleasure thrills through all his frame; anxiety and hope, but not unmixed with fear, engross his whole attention, and cautiously he drags the struggling victim to the shore; here, when he views the unexpected magnitude of his glittering prize, his joy is at its utmost reach; what object could at this moment tempt him to quit his station!

Intent upon his sport, he one moment pulls, then seems to yield, then gently draws the exhausted victim, till, at length, exulting, he takes the scaly prisoner in his hand; but, alas! with his victory his pleasure ceases; for having disentangled the poor creature from his hook, he throws it down with indifference, and proceeds to fish again, that he may again enjoy the pleasure of anxious expectation.

It is with peculiar propriety that I consider the happiness of the sportsman, since I write this from my friend Honnor's seat at L——m, in Middlesex, when the season of the year and the necessity of exercise, with a love of conformity, have led me to partake in the delights and fatigues of shooting; and as I am not every day so employed, I could not help attending to my sensations during a walk of many hours and miles this morning; these I shall endeavour minutely to describe.

We rose and breakfasted an hour or two before the usual time, that we might find our game at feed upon the stubbles; a cloudy morning, with a brisk wind that dried the dew, and gave the dogs every advantage of the scent, communicated cheerfulness and vigour to our undertaking; hardly have we mounted the first stile and stepped into the barley stubble, but, Toho! old Sancho stands, Fop backs him staunchly; before hope can fully ripen into joy, young Carlo dashes in, and the young covey fly into a distant field of new-cut clover, and there we mark down every bird; here is no time for disappointment; young Carlo is secured, and taken into couples by the servant, and we step forward with eager strides to the object of our hopes; after walking briskly down the hill, and having toiled across the valley, just as we reach the corner of the field, panting with certainty of the falling on our prey, the birds, with one consent, mount into the air only a few yards distance out of gunshot, and return into the hedge of the same stubble-field from whence they were originally driven. Now hope suggests, that being in the covert of the hedge, the partridges will rise one at a time, and yield us glorious sport.

Full of this idea we return with redoubled ardour the same way by which we came; and though we now ascend at every step, the way seems shorter in proportion to our prospect of success. At length, behold us on opposite sides of the hedge in which we know our game is lodged; Sancho is on 'em! Fop winds 'em too! and now, with that palpitation which only a keen sportsman can comprehend, we gently beat the bush, and forth, from either side, part of the covey rushes. My friend (who seldom misses a fair shot) kills his bird; but I, whether from too much eagerness, or too little practice, shoot behind the mark; and plainly discover, the moment I have fired, why I have not succeeded: but there is not time for recollection, much less for disappointment; for there are more birds left. Sancho is stiffened at the hedge, a few yards distant. In extreme haste my gun is charged again, and I move on with pleasing trepidation; the partridge whirrs from the pointer's nose, and I take more certain aim; but, drawing the trigger, I discover, that, in my haste, I had forgot to prime. Now with my eyes only I pursue the happy fugitives; and this so occupies my thoughts, that disappointment cannot find admittance; besides, I exult

exult in the reflection, that had my piece gone off I should most certainly have killed my bird; and, while I am engaged in exultation, and in priming, the remainder of the covey take wing, and point the direction we must follow. We now proceed beating each field with unrelaxing diligence; we try swathe oats, or wheat, or barley-stubble, then look the clover; or turnips are more likely: in short, each piece of land we enter gives fresh hopes: we are sure they must be there; but having beat this field and that in vain, we have better founded hope of finding in the next adjoining; nor does expectation droop beneath repeated disappointment; at length the dogs are certain in the turnips, and we approach with ardour heightened by delay; 'tis now a sportsman only can relish what I feel; the dogs stand immoveable as blocks of stone, and the heart beats with rapture at the approaching moment; while I cautiously examine whether I have primed or not. At length a partridge rises with rustling noise, and spreads his wings; my well-aimed gun quickly stops him in his flight, and kills him on the spot. This is the moment which a novice in the field would think the highest pitch of joy; but he is mistaken; the pleasure ceases with the victory; the lifeless bird is negligently thrown into the bag, and all the eagerness of hasty charging is repeated, lest other birds should rise while I am unprepared.

Thus the happiness of sporting, like that of every other object, is more in expectation than enjoyment; and, having confined my illustration to the country gentleman or sportsman, let none who never drew a trigger at a partridge, presume to judge of ecstasies which they may think over-rated; but let them remember that energy, even in trifles, is necessary to constitute felicity in active minds; and that he who seeks happiness with indifference in any pursuit of life, will never find it; he must be earnest, whatever he undertakes; and, "What he does, he must do it heartily." G. T.

ACTION FOR A BREACH OF THE GAME LAWS.

TRIED AT THE KENT ASSIZES.

Giffard, Esq. *v.* Tristram.

THIS was an action of trespass. The plaintiff is a Magistrate of Kent, and the defendant a carpenter.

Mr. Serjeant Best observed, that this action was brought under a Statute, to prevent persons in the situation of life of the defendant from leaving their wives and families for the purpose of hunting. The defendant, accompanied by a great number of persons and a pack of hounds, was galloping over the field, which was sown with wheat, when a servant of the plaintiff called out to them to desist; he however treated with derision the remonstrance, and on quitting the field neglected even to shut the gate, pursuing the chase over a neighbouring Common. The only question would be as to the amount of damages, of which the Jury were perfectly competent judges, since there could be no doubt that the defendant was not qualified, and being a carpenter, Lord Ellenborough would inform them that he came within the meaning of the Statute.

The first witness called was a labourer

labourer named Austen, who stated the transaction to have occurred in April last. He saw neither dogs nor game, but there were often horsemen in the field riding over it. The defendant said he would do no harm, and having gone down the field came back again;—being cross-examined, he said that Tristram was a respectable tradesman at Dulwich, and only walked his horse.—Heether, another labourer, swore, that the dogs went on the other side of the hedge, and the defendant went along the head-land.—He did not know what they were hunting, as he saw neither fox nor hare.—He could not say what damage was done.—Mr. Yantley, solicitor to the plaintiff, proved that the defendant called on him, to know what satisfaction Mr. Gifford required, when the witness informed him that five guineas must be paid to the poor of the parish, and an apology be made in the newspaper.

Lord Ellenborough.—"It was a very impudent thing to require."

The witness added, that Mr. Gifford afterwards declined the apology.

Mr. Garrow, for the defendant, termed this a most scandalous action. His client had much to be thankful for, that in the conceit of authority, Mr Gifford did not thrust him into the House of Correction. Mr. Gifford, the Jury were told, was a respectable Magistrate; the learned Counsel did not know him, but he hoped he had some other claim to that title than this trumpery action. As a contrast, the Jury were informed that the defendant was a poor carpenter. It was not the fact, he was equally respectable, and had had the honour as a builder to have the care of the concerns of Lord Thurlow, and was now engaged for that useful and valuable institution called "God's Gift." What then was the action? It was a suit in which Mr. Gifford attempted to humble an Englishman and a Man of Kent in the dust, and to force him not only to pay 5l. but to do what no gentleman would consent to, viz. make a public apology in the newspapers. It was a suit in which Mr. Gifford wished to make himself notorious; it was a suit in which he would be defeated; and a suit out of which he would come not with a little discredit. The fact was, that the suit could not be maintained under the statute, because the plaintiff had failed in proving what was absolutely necessary, that the defendant was hunting for game. If the Jury knew any coin less than a farthing he trusted they would reward the kind, tender, and respectable Magistrate with it.

Lord Ellenborough observed in summing up, that this action was brought under a statute which made an *inferior tradesman*, who committed a trespass after notice in hunting, liable to damages and full costs; but it did not appear that the defendant was hunting according to the words of the statute. It was plain that he was a trespasser, and the plaintiff must, therefore, have a verdict; but his Lordship was of opinion that the Jury could not find that the defendant was in pursuit of game, though he might be considered, as a carpenter, no inferior tradesman. He thought the defendant had been rather hardly dealt with, and highly applauded his conduct in not signing the apology to be published in the newspapers.

Verdict for the plaintiff—Damages One Farthing.

DISPUTES

DISPUTES BETWEEN GENTLEMEN,

On Points of Honour, &c. &c.

CAPTAIN LANGTON *versus* MAJOR NORTHEY, *once more!*

IN our boyish days, we recollect having perused a distich, in the satire of Hudibras, which we have often had occasion to see verified, in the multifarious business of human life; viz.

> "Convince a man against his will,
> He's of the same opinion still!"

But we never had a more positive and decided proof of the verity of this remark, than when we perused a letter in this Magazine for July, under the signature of C. d'E.; in which Mr. C. d'E. endeavours to shew, that notwithstanding Major Northey was most honourably acquitted of all charges adduced against him, by Captain Langton, after a full and patient investigation, by a Court Martial, yet that had the Court been at liberty to have heard the prosecutor on transactions *prior* to the charge, or that had Captain Langton been at liberty to publish the whole case, the sentence would have been of a different complexion!

Now all the answer that a conscientious and thoughtful man can possibly make to these declarations is, that as they appear to *insinuate* more than they *declare*, that they should have been infinitely more explicit, or not have been made at all: because as the affair now stands, there is not, we believe, an unprejudiced gentleman in this Empire, who will be eager to give Major Northey's enemies any species of credit for the exercise of an excessive *forbearance*, much less *charity*, towards him.—The behaviour of Major Northey, *prior* to the date of the charges, so *mildly* exhibited against him, seemed particularly effectual in drawing around him some of the most gallant characters in the British army, who seemed to vie with each other in offering their envied testimonies in behalf of a gentleman who appeared to many, rather as a mark for pique and prosecution, than as an individual who had offended against either truth, or delicacy, or honour.

Mr. C. d'E. asserts, that it is an act of imperious duty to defend the character of Captain L. as he is now fighting *honourably* for his King and country; what Mr. C. d'E. means by putting the word honourably in italics, we cannot devise, as every man who fights in such a cause, is certainly fighting honourably: nor do we think that by comparing Captain L. to "a spotless lily," that he has done his absent friend any very material service, as it is rather an awkward sort of comparison for a gallant soldier; we have frequently heard young spinsters compared to *lilies*, but it is a sort of inauspicious figure for a military hero; especially such a hero as Mr. d'E. wishes his friend Captain L. to be considered.

Mr. C. d'E. then proceeds, summarily, to give a statement of the facts which induced Captain L. and some of his brother officers to *cut* Major N. *entirely:* but he adroitly stops at the threshold of probation, and contents himself with asserting, generally, that it was "a rumour of transactions, not very honourable" to Major N. that induced these gentlemen to be so *cutting:* now as we all know rumour to be a common liar, there is no liberal man who will countenance the calumnious babbler, in any degree, unless her evil report,

port is substantiated by facts: as otherwise the reputation of every honest man, as well as Major N. would be liable to be stained, before the party that was injured could make a broad stand against the slander and the slanderers: for what is more facile to a scoundrel, than to insinuate obloquy against another whom he may envy, and then affect to refuse him the satisfaction of a gentleman, upon the *assumed* ground that he had admitted the currency of an *aspersion*, which he could never take to himself by oblique hints, because he was conscious that they could not attach to his character!—We have known many instances of social bitterness, similar to this, but they have always terminated in a similar way, to the confusion of calumniators.

Mr. C. d'E. concludes his address by an appeal against what he is pleased to call "the modification of the sentence of the Court-Martial against his worthy friend, Captain L." now we think that this is rather going too far, even for Mr. C. d'E. and it is a point for the consideration of all the British Army, whether the grave award of a Court Martial, acting under the solemn impressions of justice and honour, and guided by the lights of truth, is to be eventually *questioned*, if not *resisted*, in obedience to the seeming prejudices of an anonymous apologist for human frailty.

We will now dismiss Mr. C. d'E. with expressing our hope, that if ever we should be similarly circumstanced with Captain L. or unfortunately, incur the implied censure of a body of honourable and gallant men, that we shall not have the misfortune and disadvantage of Mr. C. d'E.'s support, as he has certainly left his friend's cause, much worse than he found it.

W.

BETTINGS.

BETTINGS for the St. Leger Stakes.

65 to 20 agst Magic, by Sorcerer.

5 to 1 agst Squib, by Sorcerer.

6 to 1 agst Philippic, by Y. Woodpecker.

12 to 1 agst Legerdemain, by Shuttle.

14 to 1 agst X, Y, Z, by Haphazard.

100 to 7 agst Mr. Scarisbrick's ch. c. by Young Woodpecker, dam by Walnut.

100 to 6 agst Camerton, by Hambletonian.

100 to 6 agst Cid, by Sancho, out of Fanny.

100 to 6 agst Sir Malagagie, by Sir Peter.

100 to 5 agst Amadis de Gaul, by Hambletonian.

200 to 13 agst Mr. Watt's Golumpus colt.

200 to 13 agst Cottager, by Hambletonian.

200 to 8 agst Bethlem Gaber, by Sorcerer.

200 to 11 agst Cross-Bow, by Cheshire-Cheese.

500 to 25 agst Merlin, by Sorcerer.

500 to 20 agst Wellington, by Beningbrough.

100 to 4 agst Mr. Garforth's Rosalind colt.

100 to 4 agst Mr. Gascoigne's Sorcerer colt.

6 to 4 Magic, Squib, and Philippic agst the field.

INTE-

INTERESTING HORSE CAUSE.

Tried at the Oakham Assizes, Friday, July 26, before Mr. Baron Thompson.

Franey *v.* Fancourt.

THIS was an action to recover the value of a horse sold by the plaintiff to the defendant.

Mr. Serjeant Rough stated the case to the Jury on the part of the plaintiff. He said, that the present action was instituted to recover the sum of 49l. 9s. 6d. being the value of a horse sold and delivered by the plaintiff to the defendant. The parties were both very respectable men—the one Mr. Eusebius Franey, of Pickworth, the other Mr. Matthew Fancourt, of Empingham.—On Friday, the 10th of May, the plaintiff rode the horse in question to the Millstone public-house in Stamford, where the defendant saw it, and entered into an agreement to purchase it at the price of 50l.—half-a-guinea being returned. The plaintiff rode the horse home that day, according to an agreement made between the parties, and on the next day (Saturday) sent his servant with the horse to the defendant's house. The servant saw Mr. Fancourt, who asked whether the horse were lame?—on being answered in the negative, and finding nothing the matter with the horse on examination, he desired the man to put it into the stable. On the following day (Sunday), the defendant returned the horse as unsound to the plaintiff, who, considering it as his (Fancourt's) property, gave him notice that he (Franey) should not keep the horse, but leave it at the public-house, in Empingham, where he (the defendant) must be accountable for its keep.—The Learned Serjeant said, he understood that the defence to be set up was, that the horse was unsound, being a ridgil. He should be able to shew that the contract between the parties at the time of bargaining amounted merely to a warranty of soundness.—And if the defendant should even prove the horse to be a ridgil, he contended that, in point of law, that circumstance would not constitute unsoundness. But he was satisfied that there was no pretence to say that there was any imperfection in the castration. The operation had been performed twice by persons who well understood their business. The fact he believed to be, that the horse was too young for cavalry service—the use to which the defendant wished to put it; and, finding that it would not answer the intended purpose, he wished to get rid of the bargain. Having thus stated the case to the Jury, he proceeded to call witnesses.

Charles Wright, brother-in-law to Mr. Franey, saw the plaintiff and defendant together at the Millstone public-house, Stamford, between three and four o'clock in the afternoon of the 10th of May. The defendant bought a brown three-year-old horse of the plaintiff for 50l.—half-a-guinea again. The horse was to be delivered next day. The defendant asked the plaintiff whether the horse were sound? The plaintiff answered that it was. The defendant examined and rode the horse, and said that he liked its paces very much. This was before the bargain. The plaintiff was to ride the horse home, and send it to the defendant the next day. It was cut at one and two years old.

Cross-examined by Mr. Clarke.—The plaintiff bred the horse—it was "coming three" when sold.

The witness had ridden the horse himself two miles. The bargain took half an hour settling. The defendant made no other inquiry respecting the horse than whether it were sound—he never asked about its temper. Fifty guineas was the price first asked, which the witness thought a good price, but not too much. The witness had known the horse from a foal; it had been cut twice (at one and two two years old), but that was not mentioned by the plaintiff to the defendant during the bargain.—Horses not clean cut are unfit for the Cavalry, nor are three-year-old horses adapted to that service.

George Bromehead, farmer, was at the Millstone on the 10th of May, and heard the bargain between the plaintiff and defendant. The former asked fifty guineas—the latter offered forty-six guineas, which the witness considered a handsome price. At the conclusion, a bargain was made for 50l. (10s. 6d. again). The witness did not see the horse that day, but had seen it before, nor did he see the defendant ride it.

Cross-examined.—The plaintiff warranted the horse sound. The witness did not hear what passed below, when the horse was tried—nor did he know that the horse was a ridgil. He would not give so much for a ridgil as for a clean-cut horse.

On a re-examination by Mr. Serjeant Rough, the witness said that by a *handsome* price he meant a good price for a first bidding. The witness dined with the plaintiff and defendant. Fancourt was sent down for, and on his return said that he liked the riding of the horse much.

John Rudkin, farmer, was also in the dining-room at the Millstone during the bargain. The defendant asked the price; the plaintiff replied fifty guineas. The defendant offered forty-six guineas. The plaintiff was unwilling to make any abatement in price, but at length an agreement was made for 49l. 9s. 6d. In answer to a question from the defendant respecting the soundness of the horse, the plaintiff said that he would warrant it sound.

William Parker, servant to Mr. Francy, went on the horse to the defendant's house, at Empingham, on the afternoon of Saturday, the 11th of May. Seeing nobody at the gate, he went into the yard, where he was soon joined by the defendant, who accosted him with "Well, you have brought the horse—is he lame?" To this the witness replied—"Not that I know of." The defendant then desired the witness to trot the horse across the yard, which he did. Mr. Fancourt then, after having examined the horse, said "It will do—put it into the stable." This the witness accordingly did, and returned home. About twelve o'clock the next day, the horse was sent back to Mr. Francy's house. The witness asked the man who brought the horse back "what was the matter with it?" to which the man replied, that it was returned on account of its being a ridgil. On the following Tuesday, the witness rode the horse to Empingham by his master's desire. On arriving at Mr. Fancourt's house, he refused to take the horse in—saying that "he would not take it except forced." The witness then left the horse at the public-house, and after having left notice at Mr. Fancourt's of his having done so, returned home.

Cross-examined.—The witness had not received any order from his

his master to refuse to take the horse in, should it be returned. The witness had very often ridden the horse, and always found it quiet. He had also seen it in pastures with other horses, and never saw it unquiet.

Re-examined.—The witness never heard that the horse was ever restive with any body.

John Beele, castrator, took one testicle away from the horse when it was a year old—the other had not come down into its proper place. Such a circumstance happened sometimes. The witness did not cut the horse a second time.

Christopher Carter, another castrator, was employed to cut the horse when it was two years old. He took one testicle "clean away," and no fault was afterwards found with his operation.

Cross-examined.—The witness was told by the plaintiff that another *gentleman* had cut the horse before, but the witness could not tell whether it had or had not undergone a previous operation! [The application of the word *gentleman* having excited some mirth in Court, the witness, in reference to persons of his own way of business, quickly observed "we are all *gentlemen!*"]

John Gee, servant to the plaintiff, was present at both operations. He helped to hold the horse—and saw a testicle taken away each time.

John Rogers, horse-breaker, was employed by the plaintiff to break the horse in after it was cut, and before sold. He never observed any thing to induce him to suppose that the horse was a ridgil—it always stood quiet among mares.

The plaintiff's case having here ended,

Mr. Clarke addressed the Jury on behalf of the defendant in a speech of some length. He made many very strong observations on the conduct of the plaintiff, who, he said, had been guilty of a fraud, in not having stated to the defendant, at the time of the bargain, the circumstance of the horse being a ridgil. He contended a man who would act so, would not scruple to teach witnesses to swear to what was not fact! The conduct of the plaintiff in warranting a horse sound which had not been clean cut, he asserted, was not that of an honest man. That it was *not* clean cut, there was no doubt; and it was also an incontrovertible fact, that a horse in that state was not a sound horse. With respect to the horse being quiet, if it really were so, why was it cut a second time? But what evidence had been adduced in support of the assertion that the horse was quiet among mares? Why none but that of the horse-breaker, who had it immediately after the dreadful operation of castration had been performed (or rather attempted to be performed) on it! Was it probable that a horse in that state would evince its vicious inclination? Was it *possible* for an animal, under such circumstances, and confined as it was by all the tackle of a horse-breaker, to be otherwise than quiet? The fact was, that when the defendant got the horse home, and put it into a close, it "played the very devil" among all the mares and horses that it could get at! This raised a suspicion of what had not before been dreamt of; a close examination took place, and the horse having been found to be a ridgil, was returned to the plaintiff. Again, what evidence was there of the horse having been clean cut? Why none but that of

of "an ignorant *cow-leach*," who, when he went to perform the second operation, could not tell whether the horse had been cut before! The learned gentleman said he should leave it to the Jury to decide whether, in all human probability, (judging from what they themselves, in such a situation, would do,) the defendant did not put the question to the plaintiff—whether it were a *quiet* horse? One circumstance he would mention to the Jury before he proceeded to call his witnesses. He should prove that a few days after the horse had been left by the plaintiff at the public-house in Empingham, Mr. Franey went to Mr. Fancourt's house for the purpose of pressing him to take the horse—saying "It *is* quiet." Now it was for them (the Jury) to decide, whether this was not a corroboration of what he had just supposed, respecting the plaintiff having warranted the horse *quiet?* Was it probable that the plaintiff, if he had not said what amounted to more than a mere warranty of soundness, would have acted thus? The Jury would decide on the case—and he felt perfectly sure as to the fate of the cause.

Isaac Shelton, servant to Mr. Fancourt, saw the horse soon after it was brought home. About one o'clock the next day he took the horse back. It behaved very well on the road, when no other horses were near, except in one place, where it reared up, turned round several times, and almost threw the witness. It wanted to get to some horses that were in a close, through which he had occasion to pass, and on the witness's trying to hinder it, reared up—upon which he got off and led it to some distance. The same circumstance again happened by a gate near a stone-pit in a lane; the witness in consequence got off, and led the horse the rest of the way to Mr. Franey's. The witness saw Parker in a close near the plaintiff's house, who asked him why he had brought the horse back? the witness replied, because his master had found out that it was a ridgil. At the house he saw two men, who after he had informed them that his master had sent the horse home again, told him that he might put it into the stable, which he accordingly did.

Cross-examined.——The horse went very quietly until it reached the close. When the witness saw some horses in the lane, he immediately pulled his horse in as hard as he could with a sharp snaffle bridle, on which he reared up, and was very restive.

William Taylor, groom to Captain Twisden, saw the horse at the Crown, Empingham, about three days after it was sent there.—[The witness here made a mistake, as it was proved by the testimony of three subsequent witnesses, that it was on the 28th of May—consequently about *three weeks.*]—It was brought out of a stable in a snaffle bridle to a mare, which was placed on the other side of a gate. The witness stated that "the horse took as much pains to *try* the mare as any stallion that goes his round." He was very violent, and in the witness's opinion was nothing but a *foul* horse—not a complete gelding.

Cross-examined.—The horse was in very high condition when brought out to the mare. The witness never saw a clean-cut horse *draw* at a mare.

William Gilford, farmer, deposed to the same effect as the last witness, with respect to the horse *trying*

ing the mare. The witness also stated that the horse appeared to be a ridgil; not clean cut—nor fit to go among any other horses.

William Allen, farmer, was also present when the horse was brought out to the mare. The witness saw enough to be satisfied that the horse was a ridgil.

Thomas Wilson, innkeeper and farmer, agreed in account with the three preceding witnesses.

George Marriott, horse-dealer, saw the horse a short time before he came into Court. It attempted to cover a mare, and then kicked at her. It was not fit to go among other horses.

William Catlin, another horse-dealer, saw the horse at the time the last witness did. It was a foul-cut horse. It acted like a stallion, and then kicked. The witness never saw a clean-cut horse act so.

Charlotte Fancourt, sister to the defendant, recollected Mr. Franey coming on the Tuesday after the horse was returned, to try to persuade her brother to take it again. Mr. Fancourt said, if he would warrant him sound *all over*, he would take him. Mr. Franey answered that it was so.

Thus terminated the case of the defendant.

Mr. Serjeant Rough then rose, and with much energy and ability answered the arguments which had been adduced by the defendant's Counsel. He regretted extremely that the same candour which he had thought it his duty to observe throughout his first address to the Jury, had not marked the conduct of the Counsel for the other side. He had stated in his speech, what he had been instructed to state, and what he understood to be the fact, that the parties were both very respectable characters. How had his statement been met by the other side? His client had been accused of committing a fraud!—of acting a part that did not become an honest man!!—and (by implication) of teaching witnesses to *perjure* themselves!!! The Jury would rightly appreciate the motive of such a reply. They would understand, that the gross language he had just quoted was not to be considered the language of the defendant's Counsel—for he had been instructed to use it. The Jury, he repeated, would duly appreciate the motive, and he, on the part of his client, was quite sure that the character of Mr. Franey (who was well known to all of them) would rather rise in the estimation of the world than suffer by any such aspersions. The Learned Gentleman then called the attention of the Jury to an important fact—viz. "*that there was a clear distinction, in point of law, between a general warranty of soundness and a warranty of freedom from vice.*" This had been proved by several decisions—and would of itself set at rest any doubts which might exist as to the fate of the cause.—As to the evidence of the defendant's sister, which had been urged in favour of the other side, he contended that it was of a directly contrary tendency. For, supposing that the plaintiff had warranted the horse sound *all over*, would not the defendant when pressed to take the horse again, instead of saying that he would if the plaintiff *would* warrant it *sound all over*, have answered—"No I won't—you *did* warrant it sound *all over*, and as it is not so, the bargain is disannulled?" The Learned Serjeant, after having taken a review of the whole evidence, concluded with stating, that the fairest way he could judge of

of the business was—to consider it as an after-thought on the part of the defendant, who, finding that the horse had too much blood for him, and not choosing to acknowledge the real cause, as affecting his character as a rider, had returned the horse as unsound.

Mr. Baron Thompson summed up the evidence in a very plain manner. The question for the Jury to decide was—whether the defendant had shown a sufficient cause for not having fulfilled his contract? No reason had been assigned for returning the horse as soon as the day after the defendant received it. It was clear that there was no warranty of freedom from vice. With respect to the term *foul* horse, made use of by some of the witnesses, that did not imply unsoundness, unless its being a ridgil could be so esteemed. *That* the Jury would decide. No evidence had been adduced that the horse was ever vicious while in the plaintiff's possession; on the contrary, a witness who had been accustomed to ride it spoke to its being very quiet. Under these circumstances he left the case to the Jury, fully satisfied that they were more able to decide on it than either himself or the Counsel that had been employed by the parties.

After some consultation, a verdict for the plaintiff was returned—49l. 9s. 6d.

MATCH AGAINST TIME.

AN equestrian exploit which had created much interest in Bath and its neighbourhood, was determined on Thursday, the 8th instant, on the Bristol and Bridgewater road. Mr. Langley, attorney, of Bath, undertook to ride his black mare, seven years old, one hundred miles in twelve successive hours. The original bet was three hundred guineas to one hundred guineas that he did not accomplish it; but, from the well-known bottom of the animal, and the rider's skill and persevering spirit, the bets turned considerably in his favour before the day of starting. The ground Mr. Langley chose was favourable to his object, the road being particularly good—ten miles betwixt Cross and Bridgewater. At half-past six on the Wednesday evening, Mr. Langley started, and completed his arduous undertaking in one hour and ten minutes within the stipulated time; neither the horse nor the rider appearing exhausted or distressed, notwithstanding it rained hard and incessantly during the last forty miles.

The following is the exact statement of the performance, as minuted down by Mr. Charles Henley, who was appointed umpire on the occasion. The ground, as before stated, was ten miles out and the same road back, which had been repeatedly measured by eminent surveyors on similar occasions.

	H.	M.
The first 20 miles were rode in	2	7
From 20 to 40	1	45
40 to 60	1	49
60 to 80	1	47
80 to 100	2	12
Total of time on the road	9	40

After completing the first 20 miles, the mare fed well, and so she did at each stoppage. Mr. Langley also took refreshment.—He stopped at the first twenty miles ten minutes, the second ten minutes, the third fifteen minutes, the

the fourth twenty-five minutes;—in all about one hour. Mr. Langley's weight is 10st. 7lb. The mare is not quite fifteen hands. He was accompanied the whole of the way by Mr. Brooke, of Gloucester-street, upon two of his own horses.

Mr. Langley has offered to ride his mare again the same race against time as the former, for the same odds in three months,—that is, one hundred miles in twelve successive hours.

HISTORY OF A GAMBLER.

(Concluded from page 168.)

I Resumed with encreasing perseverance my former isolated plan of proceeding; and by the utmost stretch of frugality, I soon found my stock increased to one thousand five hundred pounds. Having opened an account with one of the principal banking houses to give myself greater credit, I now ventured into B——'s and W——'s in St. James's-street, and joined in the first circles, till I imagined that years, and a difference of manners and dress, had placed me beyond the knowledge of those who had seen me in my former humble capacity. I then visited all the race-grounds, and had the satisfaction of entering into conversation even with some of my former fellow-servants, without being recognized by them. As I associated with them, and treated them freely, and was besides pretty well versed in all the turf manœuvres, I wormed myself into many lucrative secrets, and found this to be my sure *hit*. To ensure myself a favourable reception, I never set out on an expedition without purchasing a couple of hacks and hiring a groom, the former of which I sold, and the latter discharged so soon as I returned to London, and to my usual economical mode of living.

At the end of about six years, I had amassed a property of about ten thousand pounds, which I placed in the funds, with a determination that nothing should induce me to break in upon the capital, and I never found a temptation to do it, as my prudence increased with my fortune.

About this period, one of the strangest adventures befel me:—I went to Epsom races, attended by two hired servants in handsome new liveries, and as I cast my eyes about, to discover, by my skill in physiognomy, proper persons to bet with, I was suddenly struck with the sight of my old master, Sir David Whiphand, seated in a curricle with Lady Betty, who was dressed in the highest style of fashion. To one of the handsomest faces in the world, she had now added the ease and confidence of the *haut ton*, and no small share of the graces. I felt, by the fluttering of my heart, that my former flame had been only damped, not extinguished. But, gracious heaven! how it leaped when I perceived that she had fixed her eyes on me. She gazed eagerly and unblushingly, although the idea that she might recollect me, crimsoned all my face. I was so awkward and confused, that, without being conscious of what I was doing, I made her a slight bow, which she returned by a nod and a look, expressive, as I thought, of wishing to say somewhat to me. She then turned her head round towards her husband, as if afraid of his perceiving her attention

tion to me; but he was too busily engaged with the black-legs, to take the least notice of her.

I drew nearer by degrees, and started when I first caught Sir David's eye; but I resumed a little more ease, when he exhibited not the least symptom of retaining any knowledge of my person: I was even emboldened to propose a trifling bet to him, which he accepted, and, upon the strength of it, I placed myself on the side next to Lady Betty, and entered into conversation with her on indifferent subjects. I lost my bet, and paid it immediately to Sir David, who appeared much elated with the success of the day.

In the course of conversation, Lady Betty contrived to drop that they were to dine at one of the inns in Epsom that day, in such a manner as gave me to understand that she should expect to see me there. I gave her a nod of intelligence, and, to avoid the suspicion of Sir David, I removed to a little distance; but I had wholly forgot the business that brought me thither, and had no eyes, no senses, but for Lady Betty.

I was at length roused from my almost incessant contemplation of her charms by a turf acquaintance, who asked me jocularly if I was caught in the snare of Lady Whiphand?—I confessed that I thought her the handsomest woman I had ever seen in my life, and, in order to learn what was her public character, I asked who she was, as if I had never heard her mentioned before.

"I wonder you know nothing of her," replied my acquaintance, "as she has for some time past visited all public places with her husband. She once moved in the humble sphere of one of his domestics; but she had no sooner *legally* ascended her master's bed, than she began to give symptoms of a soul far superior to her former servile state.

"Sir David was too well aware of the licentiousness of women in general, and of married women in particular, in this *improving* age, not to wish to keep his charming wife from imitating such examples; his sole aim was to keep her ignorant of the *vanities* of life, as he termed them; but she panted to figure in new scenes, reproached him with ill-founded jealousy as the cause of secluding her from the world, and teazed him, till, with the utmost reluctance, he consented to introduce her into the world. The spark of fashion fell upon tinder, and Lady Betty made such progress in the jargon and etiquette of high life as made her husband tremble; so violent was her passion for making new conquests, that she had scarcely a moment's rest — night and day she was studying to vary the decorations of her person, to render it still more conspicuously attractive, as if it were not already sufficiently alluring, and to distinguish herself from the rest of her sex.

"Whenever she drew the gazing multitude, then, and not till then, did she appear tolerably easy, and she played off a thousand airs and graces, without which personal beauties '*fade in the eye, and pall upon the sense,*' to fix them in her train. At first Sir David remonstrated with her on the freedom of her conduct,—from remonstrances he came to reproaches,—and reproaches brought on quarrels; neither remonstrances, reproaches, nor quarrels, could deter or reclaim her Ladyship, and Sir David was at length obliged to give way, and

and let her take her full swing, to avoid the effects of her dislike and resentment. They are now become one of the most fashionable couples living."

"Has she many admirers at present? Does she encourage them?" said I.

"She has crowds of admirers," was the reply, "but nothing has transpired for certain that she gives them any thing more substantial than hopes."

My passion was now inflamed by curiosity, to know whether her Ladyship had recognized me, or was only playing off her coquetish arts to increase her train; I was determined to be satisfied, and kept my eye on her till the curricle left the ground, when I followed at a distance; I observed her turn round, and on beholding me her face beamed with a smile of pleasure and satisfaction. I was encouraged, and was resolved to encounter all risks to speak to her in private.

I alighted at the same inn, which was so thronged with company, that a private room could not be had for any price. I rejoiced at the circumstance, and drawing near to Lady Betty, I obtained the next seat to her, by dint of perseverance, and no little pushing.

We scarcely spoke during dinner-time, but we exchanged glances, and her's were the softest, sweetest, and I may add, the tenderest, that ever were cast on the happiest lover. I repaid them in the like coin, and shewed her the most pointed attention by helping her to something from every dish within my reach.

Soon after dinner, the ladies withdrew into the garden; and those gentlemen who preferred the pleasure of their conversation to drinking, shortly followed them. I observed with pleasure that Sir David was not of this number: and, hastening into the garden, Lady Betty soon gave me an opportunity of singling her out. She advanced towards me with a languishing smile, and told me that she was happy to meet me again; adding, with a sigh, that she had long lamented our separation.

"Have you recognized me, then?"

"Yes; lovers are lynx-eyed, and your image is too deeply impressed on my heart to be ever erased. There are now some hopes of returning happiness,—a blessing to which I have been wholly a stranger, ever since our separation."

I felt myself pleased to find that I could have made her happy, though Sir David had failed, if she had given her hand to me; I appeared, however, to doubt her sincerity; and a few tears dropped from her eyes to vouch for it. She wiped them away, and strove to conceal them from the company which crossed the walk; but she appeared desirous that I should see them, as she turned her face towards me. It is impossible for me to describe what I felt at seeing those beautiful eyes swimming in tears; I longed to give ease to her throbbing bosom, at the same time that I enjoyed her disquietude, from the remembrance of her desertion of me. My sensations for a time rendered me unable to speak—sighs burst from my overcharged heart; and they were echoed by those which she did not strive to suppress.

We were in this situation, when we heard Sir David's voice near us, and presently discovered him, although he did not appear to have observed us. "We return to town to-night,"

to-night," said Lady Betty hastily, "I wish to communicate something to you. Can you meet me to-morrow evening at seven, in Kensington-Gardens?"—I had just time enough to answer, "I will, most undoubtedly," and to press her hand, before she flew from me, and I walked off the opposite way.

I hastened to the appointment, and found her arrived before me. Her eyes at first seemed to reproach me with tardiness, but she received me with such an appearance of real satisfaction and joy, that I was charmed to see her as kind as I had ever known her, and only, perhaps, restrained from giving me every proof of her love by the recollection of her detested marriage; she assured me that it was the cause of all the misery she endured,—misery which would end but with her life, or the dissolution of her unfortunate bands.—"Were I but at liberty," continued she, "I would give myself to you for ever; but perhaps you are engaged to some other female, and can never expect to taste tranquillity again."

I interrupted her to assure her that I had never been able to engage my heart to any other of her sex, and that I only wished she was as much at liberty as myself, that I might take her to my arms.

A torrent of tears rushed from her eyes, and she lamented her ambition and folly in such pathetic terms, as pierced my soul. I was, however, delighted with this retaliation upon Sir David, who had so ungenerously supplanted me;—I exerted all the eloquence I was master of to soothe her, and so far succeeded that she raised her drooping head, and wiped her weeping eyes, which were directed towards me with all that love and tenderness, that had given me the highest delight when she first confessed her attachment to me. She thanked me in the warmest terms for the generosity with which I overlooked the injury I had received from her, and entreated me to see her sometimes. Charmed by her condescension, I could not forbear clasping her in my arms, and pressing her throbbing bosom to mine. We continued thus for a time entranced, till, lifting up her eyes, which had assumed a melting languor, she murmured out in broken accents, "Have you forgiven me, my dear Joseph? for mine you will, you must be. Tell me that you still love me, and that you will see me whenever I can give my tyrant the slip."

Where is the man, tempted by the woman he adores to forget every social duty, to forget even himself, and all the world but her, who could have refrained from assuring her that he would be at her disposal? I was inflamed to a higher pitch, and entreated her not to let the present opportunity slip without giving me unequivocal proofs of her love. Silence gave consent, and I led her, "*nothing loath*," to a convenient house in St. Martin's lane, where we revelled in guilty pleasures; but the sting was not far behind. Whether Sir David had observed any thing that had passed between us on the race-ground, or in the garden of the inn in particular, or he was actuated by a general jealousy of his wife's conduct, he had caused her to be strictly watched, and burst in upon us with two or three followers, when we were the least apprehensive of, and prepared against such a surprize. As our situation had furnished him with every thing that he wanted, he retired

tired with his followers, without uttering a word. Lady Betty and myself were for some time unable to speak; but at last resuming her tongue and her fortitude, she said that she did not mind it, as she should be as glad of a divorce as Sir David could possibly be; and if that should be the worst of it, she should be more than compensated for it by a continuance of my attachment to her.

As there was no probability of her being received again, I was under the necessity of taking her home with me; and, being afraid of an action commenced against me for damages, I purchased a house in the country where we were unknown, with all expedition, and removed to it with the utmost privacy, having realised a good fortune; and for the same reason I gave up my attendance on all those public places where I stood the least chance of being recognized by the injured Baronet, and secluded myself with Lady Betty.—Sir David obtained a divorce; and as there was no marriage settlement, his wife was left without a shilling.

When we heard, some years since, that Sir David was dead, being heartily tired of seclusion, I entered the world again, and resumed my former pursuits, but more as an object of amusement than of profit. Having more wealth than I make use of, and no relations, I have given up making a prey of the world, for the more innocent pastime of making sport of it.

THE GERMAN WALTZ.

AN epistolary contest has for some time past been carried on in one of the diurnal prints, relative to the dance called the *German Waltz*; one party maintaining that it is perfectly innocent, decent, and harmless; whilst by the other it is reprobated as only calculated to corrupt the juvenile mind, and render it susceptible of the most licentious impressions. Our purpose is not to decide which has the best of the argument, but to insert a description of the dance which gives rise to the discussion, and a humorous letter of one of the *anti-waltzites* in answer to it.

"DESCRIPTION OF THE WALTZ.

"The whole of the party that is to dance the *Waltz* stand round in a circle, smaller or greater, as the company may happen to be, each couple (gentleman and lady, his partner) face each other; he passes his arms along her's, and holds her by the elbows; she does the same to him; and when the dance begins, he dances round with her, turning towards the left, and taking up the ground of the next couple on the left, and so the whole circle continues to move at the same time. At first the music plays very slow, but the time increases until the whole is in very rapid motion; and when they continue for some time at this, the music begins slow again, and increases as before. If there be room enough, the gentleman only holds his partner by the tips of the fingers. Certainly the dance in question is danced in a far different way among the inferior orders of society, as they hold each other tight by the middle, and thus in each other's embrace go round like whirligigs. But this is no argument to condemn a dance, which I think is decent, harmless, and elegant.—The only objection I could ever see in the Waltz

Waltz was, that the dancers were liable to get exceedingly dizzy, by repeated turning; but the dance is by no means indecent, as danced by the better sort of people, and it has the most brilliant effect.

"No Puritan."

"Mr. Editor—I have been much amused by the description given in your excellent Paper, by a writer signed 'No Puritan,' of the reprobated German dance termed the *Waltz*, which certainly frees him from any imputation of puritanism, or over love of modesty. The Author, whose taste seems to have been formed by *travel*, tells us very gravely that it is a dance equally '*decent, harmless, and elegant, and has a most brilliant effect*;' and he defines these qualities in the dance to consist in the following features of elegance and decorum:—'The gentleman passes his arms along the lady's, and holds her by the elbow, and she does the same to him,'—and when thus in each other's arms, they swing round very merrily together. The music at first is slow, but, as the *Waltzers* get animated, it rises to a jig, and so increases, among its more boisterous votaries, until, to use his elegant expression, 'they hold each other *tight* by the *middle*, and so go round like *whirligigs!*' Such are this writer's refined notions of what is decent in dancing, and brilliant in effect.

"Now, as a plain Englishman, I must confess my aversion from this dance, even as palliated in description by this writer. I love my wife—I hate to have her middle thus handled by others—it alarms my jealousy and pride—I grow irritable when I see them invade my own province, and cling tight round her waist, spinning her like a go-top, or whirligig. So it is with my daughter; I wish to reserve her middle for her husband, who I am sure will prize her pretty waist the more for never having been so handled by others.' Besides, this writer candidly admits that it is a dance extremely apt to make ladies *giddy*. Now when young people are giddy, which they are naturally inclined to be, they are apt not exactly sometimes to know where they are; and when the head is turned, it will occasionally happen that they are not aware of what they are about. For these reasons, on this writer's own shewing, I am inclined to prefer a more sober dance for my own family, satisfied, on reflection, that no considerate father, mother, husband, or brother, can approve of this familiar clasping German Waltz, and that it can only find advocates among volatile young men, who like to twist, twirl, and spin the girls about, and turn them into whirligigs.

"John Bull."

TRIALS RELATIVE TO FOX-HUNTING,

During the late Summer Assizes.

LINCOLNSHIRE.

Robinson *v.* the Duke of Rutland.

THE declaration in this action charged the defendant with having trespassed upon the grounds of the plaintiff, by riding over the same for the purpose of hunting and killing the fox on the 15th of November last. The case was proved by the evidence of William Bladon, who stated himself to be a tenant of Sir William Manners, as the plaintiff also was. Plaintiff occupied a field called North Willoughton, adjoining a close in the occupation of the witness.—Witness

ness waited on his grounds to give discharges to the Duke and the other hunters: the Duke rode up, and asked what damage was done to witness's property.

On cross-examination by Mr. Serjeant Vaughan, the witness admitted that Sir William Manners employed the attorney for this prosecution: Sir William had been a candidate for the borough of Grantham, and the Duke had *started a fox against him,* which was the real grievance.

Henry Adcock, who lives at Silk Willoughby, was also called to prove the trespass; but he could not swear to having seen the Duke ride over the plaintiff's lands: he saw a gentleman on a grey horse that he believed was the Duke. Serjeant Vaughan put it to the witness on his oath, whether he had not seen a printed paper *offering a reward for the Duke's head* if any one would discover him hunting! The witness said he had not seen it.

The Judge, in summing up, observed to the Jury, that he shuddered to think any man of common sense would say that hunting was not intended as a mere amusement, but was for the purpose of destroying the fox. If it was not intended as a mere amusement, it was a reflection upon all engaged in it, for the fox might be killed in a much easier way. It did not admit of a doubt that a company of persons, or a single individual, in riding over the lands of another, committed a trespass.

The Jury returned a verdict *for the plaintiff.* And it was agreed that the same should be entered in the other three causes of the like nature. In the Sheriff's Court, immediately afterwards, the damages were assessed at *One Shilling.*

HERTFORDSHIRE.

Johnson *v.* Oldacre.

This was an action of trespass, for breaking and entering the plaintiff's ground. The defendant, who was huntsman of the Berkeley Hunt, pleaded as a justification, that he was the servant of one —— Wood, Esq. who was a qualified man; that they had started a fox in hunting, which ran over the ground of the plaintiff, and that they followed it, as the only means of killing a noxious animal. The replication stated, that the defendant pursued the fox for the sport of hunting, and not for the purpose of destroying the fox as a noxious animal.

Mr. Serjeant Shepherd observed, that it now became a question, whether any person within reach of the Berkeley Hunt was to have the full enjoyment of his estate or not. He took it to be clear law, that the occupier of an estate had absolute dominion over it, subject to such rights in others as the law acknowledged, such as rights of way, &c.; but no person had a right to enter the lands of another for his own recreation. And although this action was defended by a stock-purse, he hoped the Jury would give such damages that even the subscription-purse of a hunting-club would find it to be most to their interest not to violate the lands of others. The defendant had pleaded, that he committed the trespass for the purpose of destroying a noxious animal called a *fox.* Could the Jury really believe that this was the motive of the Berkeley Hunting Club? Were they associated as a body of *vermin-catchers,* who had met together and united for the patriotic purpose of destroying noxious animals, to improve

prove the husbandry of the country? Indeed, in some respects they did resemble them; he had frequently seen a rat-catcher, or a mole-catcher, walk about with the emblems of his trade bedecking his person, viz. a broad-belt ornamented with brazen rats, horse-shoes, and moles. So these gentlemen of the Berkeley Hunt wore the livery of their profession—they mounted scarlet coats, with foxes embroidered on the collars; but yet he could not believe they meant by this to signify that they were a club of vermin-destroyers, which they must be, to make out the justification they had pleaded. For instance, if *a Reverend Divine* should be of the party, and he should have seen him pursuing the fox, he should naturally ejaculate, "Why, that Reverend Gentleman, whom I heard with so much delight last Sunday, cannot be really intent on destroying noxious vermin with the only view to benefit the agriculture of the country: No, he is surely amusing himself with thepleasures of the chase." Or, if he should see among the groupe a wealthy City Banker, he should naturally exclaim, "Why, he has not left his counter in Lombard-street, to exercise vermin-catching as a trade? No, no, he is enjoying the pleasures arising from field-sports." But, said the Learned Serjeant, these gentlemen must not pursue their own pleasures by violating the laws, and trespassing upon the property of others. Every man has a right to the absolute enjoyment of his own property, and it is not to be encroached upon by others. If he were asked, then, would he wholly destroy fox-hunting? He answered no: but let it be pursued, as it ought to be, by gentlemen in their own neighbourhood, where mutual accommodation would have taken place; and not like the Berkeley Hunt, which was kept on foot by subscription, and the neighbourhood was overwhelmed by a set of Londoners, most of whom had no property in the place which they chose to make the scene of their sports, and annoyed all the honest yeomanry, with whom they had no feeling in common.

Several witnesses proved the trespass by the defendant riding over the plaintiff's grounds on the 26th of January last, in pursuit of a fox, which was soon kenneled at about three miles distance, but no previous notice from the plaintiff had been given.

Mr. Serjeant Best, for the defendant, deprecated this as a captious and ill-natured action, brought in the worst temper, to interfere with the field-sports of gentlemen who endeavoured to give no offence, and had studiously avoided all those persons who had given notice of their dissatisfaction. He admitted that a verdict must be given against his client, but he hoped the Jury would think a farthing damages most ample recompence. The Jury found *for the plaintiff—Damages, 20s.*

Snoxall *v.* Wood.

This was another action against the Berkeley Hunt. The defendant in this cause was Major Wood, and the trespass was alleged to have been committed in a place called Hanging Wood, on the plaintiff's farm.

A witness of the name of Knowles stated, that on the day in question he saw Major Wood, in the uniform of the Club, riding in the wood in pursuit of a fox.

On the other side, three Members of the Hunt swore that Major Wood

Wood was never in the place declared, but rode round a different way.

The Hon. and Rev. Mr. Capel was called, to speak to conversations he had with Snoxall, the plaintiff in this action, which in substance was,—that he was made an unwilling plaintiff—that Lord Essex had influenced his landlord to compel him to give the Members of the Club notices; that he had sustained no damage, not even a farthing's worth; and he had no objection to the hounds following a fox over the grounds.

Another gentleman of the Hunt deposed to the same expressions from the plaintiff, who declared he was sorry to have been induced to bring actions against his neighbours and former friends, and he had hoped Lord Essex would have dropped them, but if the action went on, he hoped it would be scouted out of Court.

Lord Ellenborough observed, in his charge to the Jury, that, if such was the plaintiff's opinion of his own action, he need not to have troubled them with trying of it, but have taken a much shorter method, by releasing the defendant. His declaration was, however, material in another point of view, as it went to the amount of the damages which he declared to have been none. With respect to a tenant being obliged to bring actions by his landlord, such a covenant might be a very beneficial one to protect the inheritance, when demised under a long lease, and if such a power were abused, it did not follow that it might not be used for very beneficial purposes.

The Jury, after some deliberation, found *for the defendant.*

Another cause of the same description was withdrawn.

GAME OF IVORY AND HOP-BALL.

From Nelson's History of Islington.

A Society that deserves particular remark, has for many years been held at Highbury House. It is a friendly association of Protestant Dissenters, formed about a century ago, when the privileges of that body were imminently endangered by the passing of the *Schism Bill,* directly levelled against all those not in conformity with the Established church. The day on which this act was to have received the royal assent, Queen Anne died; in consequence of which the Highbury Society was formed, but their meetings were originally held at Copenhagen House. However, so far back as 1740, Highbury was the place where this society held their meetings. "The party who walked together from London, had a rendezvous in Moorfields, at one o'clock; and at *Dettingen Bridge,* where the house known by the name of the Shepherd and Shepherdess now stands, they chalked the initials of their names on a post, for the information of such as might follow. They then proceeded to Highbury; and, to beguile the way, it was their custom in turn, to bowl a ball of ivory at objects in their path. This ball has lately been presented to the society by Mr. William Field. After a slight refreshment, they repaired to the field for exercise; but neither wine, punch, nor tea, were there introduced, and eightpence was generally the whole individual expence incurred.

"A particular game denominated *Hop-Ball,* from time immemorial, formed the recreation of the members of this society at their meetings. On a board

board which is dated 1734, which they use for the purpose of marking the game, the following motto is engraven: *Play justly, play moderately, play chearfully, so shall ye play to a rational purpose.* It is a game not in use elsewhere in the neighbourhood of London; but one somewhat resembling it is practised in the West of England. The ball used in this game, is made of worsted, stiched over with silk or packthread, and is furnished by one or another of the members.

They have their annual dinner in August, when the following toast is always given, "The glorious first of August, with the immortal memory of King William, and his good Queen Mary, not forgetting Corporal John; and a fig for the Bishop of Cork, that bottle-stopper." John Duke of Marlborough, the great friend of the Protestant and Whig interest, was in all probability the person designated by Corporal John. The society dine together weekly, on Saturday, in the winter time, from November to March; and it consists at this time of between forty and fifty members.

LAWS OF BOXING.

An Action tried at the Chelmsford Assizes, Friday, August 9, before Lord Chief Baron Macdonald.

Smith *v.* Bickmore.

THIS was an action against the defendant as a stake-holder, to recover back the sum of 26l. which the plaintiff had deposited in his hands, as a stake to abide the event of a boxing match, which he was to have with one King.

Mr. Serjeant Best stated the law to be, that where a person paid money for an illegal bet, he had a right, at any time before the event was to take place, to rescind the bargain, and have the money again. In the present case, Smith had undertaken to fight a man of the name of King, and each were to deposit 26l. Smith did put his money into the hands of the defendant, but the battle was never decided, for though they did meet, the constables interfered, and no decision of the contest took place, and therefore the plaintiff had a right to have his money again.

The demand and refusal of the money being proved, Mr. Serjeant Shepherd admitted that the law, which had been very fluctuating and doubtful upon this point, now was, that before the event in *executing* an illegal contract, the party might retract and demand his money again. But he was not to take the chance of the event, and after that demand the money; because that would be—"Heads, I win; tails, you lose."—Now in the present case, Master Smith was a Serjeant of Volunteers, and made it his boast, that he could thrash every man in his company, and therefore was the fittest to command them. But he found a man of the name of King, who did not quite agree with him, and therefore they each staked 26l. in the hands of Bickmore, the defendant, and they were to *argue* the point on Braintree Heath, within fourteen days. On the day appointed, the lists were prepared with due formality, and the combatants set-to. He was told that it was a *very pretty* fight, considering they were not eminent in the science, but that Smith was beaten out of the ring, into which he did not return in due time. Upon which the *Court then and there assembled*, declared King the victor,

tor, and gave judgment accordingly. It was true, that just at that interval Mrs. Smith, the plaintiff's wife, arrived, and having inspected her husband, she declared he could *bear a little more beating*, and to oblige her he returned into the ring; King also being a complaisant man agreed to have a round, or two more, which latter fight was certainly interrupted by the Peace Officers; but he contended that, in point of law, the latter rounds were merely for love, and to oblige Mrs. Smith; but that the battle was ended when Smith made default out of the ring, and that he therefore had not a right to have his money back again.

Several witnesses were called, who proved the facts as the Learned Serjeant had stated them. He asked, whether, by the laws of boxing, leaving the ring, and not appearing in due time, was not yielding the battle? Mr. Serjeant Best contended, that they must state the fact, that the Court would draw the inference of law.

The Lord Chief Baron said, it was vastly too abstruse a point of law for him to determine alone. He should take the sense of the Jury upon it. He accordingly put it to the Jury to say, whether the battle was ended by Smith's leaving the ring, and whether the latter rounds were in compliance of the wishes, and for the gratification of Mrs. Smith. The Jury found for the defendant, on the ground that Smith was beaten by leaving the ring.

A WATERING-PLACE STORY.

THE following laughable adventure is stated to have occurred at Seatou Carew, a fashionable watering-place in the West.

A gentleman who had arrived in the course of the day, took up his quarters at Mrs. Goldbraith's, the person that keeps the principal lodging-house in the village, and where a number of families had previously taken up their abode. On the gentleman retiring for the evening, he was shewn into the bed-room; but before he had fallen asleep, a lady, who had formerly occupied the same chamber, and had not been apprized of the change, entered it. Unconscious of who was there, she sat down to read, and afterwards undressed. The gentleman in the mean time was awake, and shewed no disposition either to alarm the lady, or acquaint her with her mistake. On putting out the candle and going into bed, she was, however, *sensibly* surprised with the awkwardness of her situation. The gentleman seized his fair victim with the ardour of a *legal* lover, but was speedily undeceived in his object by the cool intrepidity of our heroine's resistance. She threatened to alarm the house if he did not desist from his rude embraces, and he reluctantly complied, upon condition of having one *quiet* kiss of her fair lips. The condition was granted; but instead of fulfilling his contract, he bit her lip, and she was then suffered to retreat. Naturally alarmed at being in this state exposed, she intended immediately to leave the house, but, upon the suggestion of Mrs. Goldbraith, that that step would immediately detect her, she consulted her female friends, who all resolved to place a patch on one of their lips. The gentleman, on his arrival next morning at the breakfast table, found himself completely outwitted,

outwitted, as he could not then fix on any lady, every one seeming to have a sore lip. He, in revenge, however, communicated the story to the gentlemen; but such was the effect, contrary to what he intended, that both they and the ladies determined to *send him to Coventry*, which threat they put in execution at the dinner table, and he was obliged immediately to decamp with mortification and disgrace.

POISONING HORSES AT NEW-MARKET.

IT will be in the recollection of our readers that certain horses belonging to Sir Frank Standish, Lord Foley, and Lord Kinnaird, which were to have run at the last Spring Meeting at Newmarket, and upon which considerable bets were pending, were poisoned. Suspicion fell upon several persons, and it was imagined that the authors of the base and diabolical deed were individuals of no unimportant consideration in society, and that, although meaner agents were employed for the barbarous deed, that the emoluments arising from it were to fall into the pockets of men of certain note. How far ingenious investigation has discovered any proof of this does not publicly appear; but it seems there was evidence enough for a Grand Jury of the county of Cambridge to find a true bill against Daniel Dawson, a man well known on the turf, for an offence of this extraordinary nature.

The bill having been found, Thomas Foy got the warrant for his speedy apprehension; and that officer, with his accustomed assiduity and zeal, found Dawson at Brighton, and brought him immediately up to town.

On Thursday, the 15th instant, he was brought up to be identified before Mr. Conant, a Magistrate of the Marlborough-street Police-Office. A considerable number of most respectable personages were present, and some of exalted rank; there was a vast concourse of individuals, amateurs of the turf, as well as gentry, of various descriptions, present—a motley groupe on the whole, from the dashing Peer of rank, wealth, and fortune, down to the sly and dry peculist, who turns things to account, not only at Newmarket, but elsewhere, exhibited themselves.—Few of these, however, got admission; and, indeed, it was found expedient, on account of the rush, to use force to keep the mob out.

Dawson at length made his appearance, having as his "Gentleman in waiting," Tom Foy. The Magistrate, with a considerable share of urbanity, waited for the Counsel for the prosecution till it approached three o'clock, but he did not arrive.

Mr. Barry, on behalf of Dawson, urged the right, or rather the courtesy of the Magistrate (a Bill being found at the Assizes) to signify what the charge against the prisoner was, being as yet, in point of form, wholly ignorant of the cause for which he was deprived of his liberty; as on that depended the circumstance, whether it was an offence which the law considered to be, or not to be, bailable.

Mr. Conant then, addressing himself to the prisoner, observed, that he must have heard that horses of a valuable import were destroyed by poison, at the last Spring Meeting, at Newmarket; and that it

it was not necessary for him to expatiate upon the enormity of that crime. But that he would also remind Dawson (and he did it in charity) that whatever might be supposed to attach to him, with respect to that matter, and weighty it was, yet he would acquaint him, that the Bill of Indictment which he was now to answer, was for the loss of the horses that were poisoned at the Spring Meeting, at New-market, 1809.

Mr. Barry seemed to entertain this intelligence with a very considerable degree of surprise, and having expressed a supposition that the defendant was indicted under the 9th of George the First, which makes it a capital offence maliciously to destroy horses and cattle, the Magistrate acknowledged it; and that, in the present shape of the case, he could not be admitted to bail.

Here Dawson was about to make some observations, but he was stopped by his Counsel, and a commitment was made out, to send him forthwith to take his trial at the next Spring Assizes for the county of Cambridge, for a capital offence.—Hearing this, he expressed some chagrin, on account of the length of time that he must necessarily remain in custody without bail.—To this Mr. Conant observed, that he must submit to the law. He was then removed.

Dawson was originally a groom, and many years past was considered one of the best judges of the capabilities of a race horse, as well as the crosses and jostlings, on the Newmarket Turf. He stands indicted for poisoning two horses at the Newmarket Spring Meeting of 1809, when the poisonous draft was supposed to have been designed for Mr. Wilson's Wizard, the winner of the 2000gs. stakes, but which fell to the lot of two others. The principal witness against Dawson is Stephens, a helping groom, who is suspected of having poisoned The Dandy, &c. &c. recently.

A BRIEF MEMOIR OF THE LATE JAMES BELCHER.

THIS once celebrated pugilist and formidable champion of England, was born at Bristol, and bred to the business of a butcher. His mother was a daughter of the celebrated Slack of Norwich, who beat the famous Broughton; but he far exceeded his maternal grandfather in all the requisites of boxing, except strength. Belcher in his native place was reckoned a star of the first magnitude, and beat all who opposed him. He was sent up to London from the Bristol nursery, by Bill Ward, when about twenty years of age, and brought with him a new system of fighting, which soon baffled the best efforts of some of the most eminent of the professors of the old school; this science, peculiarly his own, was more intuitive than derived from practice, and principally consisted in extraordinary quickness in hitting. He was without any appearance of superior bodily strength, but he stripped uncommonly well, and shewed a great deal of bone and muscle. In his mode of fighting he evinced uncommon judgment. He was remarkably agile, sprung backwards and forwards like lightning; you heard his blows but seldom saw them, though he never shewed any inferiority when opposed body to body in close contest with his antagonist.

gonist. He never closed, but when he could not avoid it, and preferred a distance at which he could best avail himself of quick hitting, which was so remarkable, that he was enabled, whilst in the meridian of pugilistic ardour, to punish more in five minutes than any other boxer in double the time; and by this, and his excellent bottom, it was that he was chiefly indebted for his success. His name will ever stand high on the record of boxing, as he was indisputably the best twelve-stone man this country ever produced.

After his arrival in town, his first combat was with Paddington Jones, a good man, whom Belcher beat easily, and entirely by quickness of hitting, which excited the surprise and admiration of the pugilistic world, and the fame of the *Bristol Boy* was noised abroad as a phenomenon.

His next battle was on the 15th of May, 1800, on a stage erected on Finchley Common, with Jack Bartholomew, well known in the annals of pugilism. Though Belcher was inferior in size, he beat Bartholomew in twenty minutes.

On December the 22d, in the same year, he fought for one hundred guineas, on Wimbledon Common, the veteran Adam Gamble, who had before beat Stanyard, Coady, Jones, &c. but Belcher completely *milled* him in less than ten minutes. At this time he challenged Mendoza, (Gamble's second), but it seemed the Israelite was afraid of him, and declined the conflict.

In July, 1801, a battle was fought on Wimbledon Common, between Elias a Jew, and the noted Tom Jones, which was won by the Jew.

While this battle was pending, a fellow named Berks, an Irishman, and a fighting butcher, had ill-used several persons in the ring, and gave a general challenge, but no one seemed disposed to enter the lists with him. He then called for Belcher, the Bristol prize-fighter, who, on enquiring his business, received a blow, which produced a most furious battle; strength was in favour of Berks, but agility and science on the side of Belcher. This ferocious contest finished in about twenty minutes, when Berks was taken away in a state of insensibility. After this a challenge was given by Berks, and accepted by Belcher, to fight for one hundred guineas a side: the time and place were fixed for the 12th of October, at Enfield; but on that day the Police Magistrates interfered, and the fight was postponed until the 25th of November, when it took place at Hurley Bottom, near Maidenhead, where, after sixteen hard-fought rounds, Berks was obliged to give in, he having received a blow on the bridge of his nose which entirely laid it open, and was severely cut and bruised in other parts, while Belcher was very little hurt.

A second match was made between Fletcher Reid, Esq. on the side of Belcher, and Captain Fletcher for Berks, for them to fight in June, 1802, for one thousand guineas. They accordingly met at the time appointed, at Grewelthorpe, near Middleham, in Yorkshire; but the magistrates of that neighbourhood prevented any fight taking place. But on the 19th of August following, at Camberwell Fair, Berks attacked Belcher in a most ferocious manner, who punished him by knocking out one of his front teeth and with several cuts. The friends of both parties

parties interfering, it was agreed for them to fight the next day for one hundred guineas, and the battle to be decisive of the bets, amounting to 2900l. which were laid in Yorkshire. On the following day they fought behind St. George's Row, on the Uxbridge Road, when Belcher was again victorious, by beating his antagonist till he could neither see nor stand.

The 12th of April, 1803, he beat Firby the Young Ruffian, at Linton, in Essex, for a subscription purse of one hundred guineas.—Although Firby had beat most of his competitors, he had no chance with Belcher, by whom he was completely beaten in twenty minutes.

Belcher, though only a twelve-stone man, had his name regarded as terrific as his blows were destructive, and he had enjoyed unmolested for four years the title of the British Champion. But on Friday, the 24th of July, 1803, he met with a melancholy and irreparable misfortune. In playing a game at fives in a court in St. Martin's-street, he received a blow of the ball which was struck by the marker, with such force, that it literally knocked one of his eyes out of the socket. Notwithstanding this accident must be considered to have been a very great drawback on his future exertions, yet his confidence remained, and such led to unsuccessful combats with superior weights and renowned professors. At length the wreath of laurel which had so long encircled his brow was torn off by the rude grasp of Henry Pearce, generally known by the appellation of the Game Chicken. This battle was fought on the 5th of December, 1805, on Barnby Moor, near Doncaster, for five hundred guineas a side; when, after a well-sustained conflict during thirty-five minutes, he was obliged to submit to the superior strength of his antagonist.

The next battle Belcher fought was with Crib, in April, 1807, at Mousey Hurst, for a stake of two hundred guineas, which he lost, but not till he had given Crib a severe beating. This battle being adjudged to have been won by accident, another match was made for Belcher against Crib, by a few sanguine friends, who were eager to give him an opportunity of regaining that fame he once pre-eminently enjoyed; accordingly on the 1st of February, 1809, the combatants met on Epsom race ground, when Belcher was again vanquished.

Belcher had degenerated previous to his first losing the battle with the Chicken; but yet with Crib there was the same animated man, without the stamina to support it. Since his last battle Belcher had gradually declined, and the last eighteen months he appeared a mere shadow.

He died on Tuesday, July the 30th, at his house the Coach and Horses, in Frith-street, Soho, in the 31st year of his age, and on the Sunday following his remains were removed to Mary-le-bone burying ground, for the purpose of being interred. He was a man of such a fair and inoffensive character, that a great concourse of people assembled on the occasion, whose manliest concern was the best epitaph that could be exhibited on the deceased.

Three mourning coaches followed the hearse containing the body. In the first were the deceased's wife, and Thomas Belcher, his brother; in the second, were Gregson, Gully, and Richmond, the black;

black; in the third coach were Jackson and Powers. The procession was followed by a glass coach, in which was Bill Wood, well known in the pugilistic circles, accompanied by several amateur friends. They moved in a solemn manner from Frith-street, through Soho-square, down Charles-street into Oxford-street. Here the concourse of people assembled on the occasion was so great, it completely obstructed and interrupted the procession. On the arrival of the body at the ground, a great confusion ensued from the number of spectators; many lost their shoes and their hats. After the body had been lowered, and the funeral rites had been performed, Bill Wood leaped upon the coffin, and appeared almost in a state of frenzy. He wept profusely, as did many other professional friends, who had followed the pugilistic hero to the grave.

*** For a copious and circumstantial detail of Belcher's principal battles, we refer our readers to former parts of our Magazine; viz. Vol. 16, page 89—Vol. 17, page 142—Vol. 18, page 172—Vol. 19, page 62—Vol. 20, page 237—Vol. 22, page 20—Vol. 27, page 125—Vol. 30, page 32—and Vol. 33, page 228.

GAME IN SPAIN.

(From Jacob's Travels in that Country.)

THERE are no game-laws in Spain; nor could any power enforce such laws, were they enacted. Every man in Spain carries his gun when he goes from home. The Spaniards are all excellent marksmen, and the kind of defence best adapted for Spain depends much on their skill in this respect. The parties of Guerrillas formed over the country are very numerous, and by intercepting dispatches, and cutting off supplies, have annoyed the French more than the regular troops. Had game laws been established, and the peasantry prohibited from carrying fowling-pieces, the country would not have made the resistance to the French, which has so far exceeded that which they have experienced in other countries.

Though all are permitted to kill game, there are extensive preserves, called Cortos, belonging to the King, and to some of the nobility, which are protected by privileges similar to our right of free-warren. The Duke of Medina Celi has some very considerable domains of this kind; one situated on the banks of the Guadalquivir, extending nearly twenty miles, and a smaller one a few miles from Chiclana, where I have been to enjoy a day's sport, but the weather was so hot that the scent would not lie on the ground; and the Spanish pointers, though they have good noses, are so ill trained, that they are never steady, nor will they back like dogs broken in England. There is abundance of game, but too much cover to course or hunt the hare; therefore they are all killed with the gun. Partridges of the red-legged kind are in great plenty; but there are no pheasants. In cold weather the woodcocks make their appearance in great numbers; and there are plenty of snipes; rabbits also are very common.

WILLSDON

WILLSDON GREEN FAIR,

July 25, St. James's Day.

THIS fair for three years past has been celebrated for an exhibition of the athletic exercise of single-stick or backsword playing, and this year it was announced again, but from the want of the presence of a gentleman to regulate the amusement, and *a particular set* attending, whose object was *money* and *liquor*, in preference to the chance of winning a prize or getting *a broken head*, there was no play. A gentleman, however, resident at a cottage near the spot, and who always subscribes to the prizes, dismissed these gentry with more money in their pockets than they would have acquired, had any real players given them an opportunity of shewing their prowess.

A scene of a very different nature took place at the cottage of the person above alluded to. About forty ladies and gentlemen sat down to an early dinner with wines, fruit, &c. and by the accession of about twenty more after dinner, alternate sets danced on a beautiful close-mowed grass-plat in front of the house, and which continued until night came on, when every one departed highly pleased with the entertainment they received.

Had any single-stick playing taken place, the following were to be the conditions, and which are published for the use generally of single-stick players, umpires, and amateurs in the science.

CONDITIONS OF PLAY.

1. There must be three separate pairs of fresh players, for the first prize; and then the three players who have won are to draw cuts, which of the two shall play with each other; and the winner of these two is to play with the third man, and the man who wins the head is to have the prize.

2. There must be the same number of pairs for the second prize, and they are to proceed in the same manner to play out the ties; but, for the second prize, the same players may play who played for the first, all except the man who won the first prize.

3. The judgment of the umpire shall be final in all cases. If any man play foul, or do any thing improper, the umpire shall order him off the stage, and such man shall, on no account, be suffered to come on again.

4. If there should be any SHAM play attempted, the whole thing is to be dropped immediately, and neither of the prizes is to be given; because it is bravery which the prizes are intended to reward, and not to encourage cunning and trick.

WARRANTY OF A HORSE.

An Action tried at the Leicester Assizes.

Heyrick *v.* Meltam, clerk.

THIS was an action brought upon the warranty of a horse, sold by the defendant to the plaintiff as a sound and steady horse, both for the saddle and for harness, for sixty-five guineas. The warranty was clearly proved, and plaintiff also proved by the defendant's own servant, who was in the defendant's service at the time the horse in question was sold to the plaintiff, that he had been very unruly both in riding and in a cart, in which he had been used, and that his eyes appeared as if he had caught a cold, which affected them

for

for about a month before he was sold, and that he once threw the servant when exercising him and another horse together; the plaintiff's own groom proved that he had been thrown by the horse after plaintiff had bought him, and that he was very unsteady and dangerous to ride.

Mr. Burley, a very respectable Veterinary Surgeon, said, that in his judgment the horse's eyes were affected by a constitutional disease, which Mr. Coleman, the celebrated Veterinary Surgeon in London, called a gouty affection, being in the horse very like the disease on the human subject, and that in his judgment this disease must have been existing when the horse was warranted.

The defendant, on the contrary, called many witnesses, who swore that the horse had been sound of his eyes from the time he was foaled, to the last month before he was sold, when he was under the care of the witness produced by the plaintiff. That the horse had been used as a coach horse, and rode in a winker bridle, and his shyness therefore was attributable to his being rode in a different bridle. Some of the defendant's witnesses admitted that he shyed at a coach, and could with difficulty be got past a waggon, or a gypsy's tent. The defendant also produced letters from the plaintiff, in one of which he proposed to sell the defendant the horse again for sixty guineas, and in another to refer the dispute.

The Jury deliberated for near two hours, and then found a verdict for the defendant.

CRICKET MATCHES.

ON Thursday and Friday, the 24th and 25th ult. a match of cricket was played on Swaffham Race Ground, Norfolk, between the gentlemen of Swaffham and Terrington, for fifty guineas; the two first innings were well contested, and a great deal of science displayed on each side. The wickets were pitched at eleven o'clock on Thursday, and the game continued until the parties could no longer see the ball. The game was again resumed on the following morning, and was decided in favour of the Swaffham gentlemen, having a surplus of sixty-three runs. A better match was never played in Norfolk.

The return-match of cricket between the gentlemen of Swaffham and Terrington was played at the latter place on Monday, the 27th ult. which was easily won by Swaffham, in one innings, having two notches to spare.

On Monday, the 21st ult. a match of cricket took place between the players belonging to the second Norwich club and the players of the third Norwich club, which was won with ease by the latter, having three wickets to go down.

On Monday, the 27th ult. one of the best contested matches at cricket ever witnessed in Suffolk, took place at Aldborough, between the Holt and Aldborough clubs.—In the first innings the Holt gentlemen had the advantage, and the odds were greatly in their favour; and although the Aldborough gentlemen played their second innings in a most admirable manner, the match terminated in favour of the Holt club, but with only *one* wicket to go down.

A capital game of cricket was played at Beckley, on Thursday, the 1st instant, between the gentlemen of Wadhurst, and the gentlemen

HOUNDS STARTING HARE.

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tlemen of Beckley and Northiam, with five men given; which was won by Wadhurst, having at the termination of the game six runs to get and four wickets to go down.

A grand veteran cricket match between the one-arm and one-leg pensioners of Greenwich Hospital, for one thousand guineas, was finally decided at Montpelier Gardens, Walworth, on Monday, the 19th instant, in favour of the one-armed side. This match was the best contested ever witnessed. The first and second innings were played on the 8th and 15th instant, and postponed from the state of the weather being so much to the disadvantage of the one-legged players, who several times lost or broke their timbers, which disaster befel three of them on the last day. As soon as the umpires declared the match to be in favour of the single-arm cricketers, they drove off the ground in a triumphal car to Greenwich, with all the usual trophies of rejoicings and exultation. The sport created much diversion, and the company was numerous in the gardens each day.

The following is the correct returns of the match on each day:—

One-armed Players.—First innings, 20; second ditto, 65; third ditto, 32; total, 117.

One-legged Players.—First innings, 31; second ditto, 25; third ditto, 21; total, 77.

On Monday, the 12th instant, a grand match of cricket commenced playing on Southsea Common, between eleven gentlemen of Portsmouth and Portsea, and eleven gentlemen of Horndean, Rowland's Castle, Compton, and Clanfield. After much good play, the decision of the match was postponed till a future day. The following is a statement of the game at the close:—Horndean first innings, 128; second ditto, 54.—Portsmouth first innings, 144.—There was much betting on the occasion—5 to 4 in favour of Horndean at the commencement; 10 to 1 after the first innings;—but, at the close of the day, 10 to 1 in favour of Portsmouth.

HOUNDS STARTING A HARE.

THIS Plate completes the series of Etchings by Mr. Howitt. We trust they have been such as to meet the approbation of our readers.

A DESPERATE POACHER.

ON Saturday morning, the 17th instant, as the nephew of Mr. Astill, gamekeeper to Earl Spencer, at Wimbledon, was going out to work, he heard the discharge of a musket; he returned to his uncle's house, in the Noble Earl's park, and informed him. Astill suspecting it was some person shooting the young game, he went out in pursuit of him, and took his gun with him; some labourers informed him the gun was discharged by a man in a field at the back of his house; he traced him, and was seen to come up with him; the man who had discharged the gun was walking deliberately, and the gamekeeper making all possible speed after him. They had a little scuffle together, but all the violence that the man who was said to have discharged the gun used, was pushing the gamekeeper from him. These circumstances were seen by some men at a distance; the last that was seen of them, was their getting

getting over some paling together in the park. In about half an hour after, the gamekeeper reached his home in a very exhausted state, from the loss of blood, from a desperate wound he had received on the left side of his head, just above his ear, and speechless. His state was such that he could not give any account who had wounded him, but by signs. An alarm was given at Earl Spencer's house, and the gamekeeper being a highly respectable servant, every exertion was made for surgical assistance, and to pursue the perpetrator of the horrid deed. Mr. Shillitoe, the surgeon, of Putney, arrived soon after, who, finding the wound of a very desperate nature, sent off an express for Mr. Carlisle, the surgeon, from London. Application was also sent to the Public-Office, Bow-street, and Lavender and Vickery were dispatched in a post-chaise. On their arrival at Wimbledon on Saturday afternoon, they found, that a man named William Holt, who had come out of Hampshire to work at the harvest, was the man suspected, and that he had been employed by a tenant of Earl Spencer to cut a field of barley, in conjunction with another man, near the place where the gun was discharged. He had been in the field of barley, it was ascertained, having left his victuals and a bottle of beer there for the day, but had not been at work.—The officers several times lost all trace of him, but at length found him at the Waggon and Horses public-house, Farnham, where they learnt, that after he arrived there he discharged a musket in the yard belonging to the house.

When the officers enquired of him respecting the musket, he said it did not belong to him, but to a soldier. The officers not being satisfied with this account, searched the house by permission of the landlord, and found in the cellar, behind the beer barrel, a gun, which proved to be the same that Earl Spencer's gamekeeper went out with. This took place on Wednesday evening. They took him into custody of course, and on Thursday he was taken before the wounded gamekeeper, who is not able to speak: he was propped up in his bed, but, by strong signs, identified the prisoner as the man who wounded him. The witnesses, to prove the prisoner on the spot, were examined by Major Fleming and two other Magistrates, at the Spread Eagle, at Wandsworth.

On Monday the 26th instant, the prisoner underwent another examination at Horsemonger-lane prison. —The landlord where he lodged at Wandsworth stated, that the prisoner left his house about five o'clock on the morning the gamekeeper was wounded; that he filled the bottle with beer, which was found in the field of barley where the prisoner ought to have been at work: also the bag of victuals, which the landlord proved to be with him.—A great deal of the evidence, we lament to say, is conjecture, the wounded man being still speechless. It is supposed he was knocked down, and, after he was down, the conclusion is, that he received two violent cuts on the left side of his head, above his ear.—The Surgeons have some hopes of the recovery of the wounded man.—The prisoner is fully committed for trial. He proves to be a well-known poacher, and was some time since wounded in his thighs, in Richmond Gardens, by one of the keepers, but on account of his wounds he was not prosecuted.

FEAST

FEAST OF WIT.

When Pius the Second advised Petrarch to marry Laura, the Poet excused himself by observing, that the familiarity of marriage would extinguish the fire of his love; to which the jolly father exclaimed, "What a fool, to refuse his dinner lest he should spoil his appetite."

Yorkshire Cannibals.—An advertisement appeared in a Paper lately, from Harrowgate, informing the public, that "the proprietors (of two Inns at that place) would charge for *eating each person* visiting their houses only 7s. 6d. per day!"

A punning correspondent supports Mr. Perceval's opinion on the Bullion Question. He maintains that Bank paper can neither fall nor rise, because it is *Stationary*.

Anecdote of the late Dr. P. Bishop of London.—A Clergyman at his table was saying, "he could not comprehend the meaning of a verse in the 109th Psalm—'he clothed himself with cursing as with a garment.'—"Oh!" said the Bishop, "he had a *habit of swearing*."

The horses in the new piece at the Lyceum are all from *Horse*-ley-down, and the asses from *Ass*-cot-heath. To make them complete, it is proposed to add some *Bullocks* from *Ox*-ford, and a few Cows from *Cow*-cross.

Bar Anecdote.—"What have you got to say, old Bacon-face," said a Counsellor to a farmer at a Cambridge assize. "Why," answered the farmer, "I am thinking that my *bacon face*, and your *calf's head*, would make a very good dish."

LINES

Written on a board at the Bell public-house, on the Stroud road, within four miles of Gloucester.

Although *Drinkwater* is my name,
I love good Ale and sell the same;
French Brandy, Biscuit, Gin, or Rum,
I'll serve you with *if e'er* you come!

When Lord Mansfield early took his seat as Lord Chief Justice of England, a fellow was brought into Court to receive its judgment for an assault of which he had been convicted. He wore remarkable whiskers, and was known to be exceedingly proud of them. His affidavit, however, stating that he was unable to pay any pecuniary fine, and the Court being unwilling to imprison him, intimated as much to Mr. Dunning, the Counsel for the prosecution, who instantly replied, "Then, if it pleases your Lordship, we will consent to mulct him of his mustachios, and humbly pray your Lordship that he may be *shaved!*"

A member of the *beau monde* lately entered on a public-house in a northern sea-port town, which had for half a century past been called "The Buck." The sign board was of course altered to the name of the new inhabitant,

 when

when it ran, in gold letters, as follows:—

"Buck
"Broderick."

The landlord being of the *beau monde*, the laugh became general throughout the town at his expence, when he determined to have his sign altered, and in a few days it appeared thus:—

"Broderick,
"The Buck."

The last show-board produced more laughter than the former, which has been the cause of another alteration, and the sign now in use, reads—

"Broderick,
"The sign of the
"Buck."

A thousand *bon mots* have been attributed to the late Countess of Aldborough: one of the latest was a gentleman, whose father had left him a considerable fortune, acquired chiefly by selling *linen*, and who wished to be a leader of *ton*, appeared with the wristbands of his shirt nearly touching his fingers ends; her Ladyship exclaimed, with much gravity, "Oh, dear ——, how sorry I am to see so much *linen* lay upon *hands!*"

An advertising beggar directs those who may be disposed to relieve him, to send their donations *post paid!* This was certainly a very *prudent* regulation, as otherwise he might have been compelled to pay a *new income tax.*

In all the advertisements for persons desirous of entering into the matrimonial state, it is generally intimated that the letters must be post paid. What a prospect of felicity does that state present, in which one party *would not give two-pence for the other!*

IMPROMPTU ON THE CELEBRATED CLOWN.

With power to give each feature play,
In various movements, grave or light,
Tho' he himself is *Grim-all-day*,
He makes an audience grin all night.

A member of the House of Commons, who had been much in the habit of speaking of the glorious branch from which he derived, commenced a speech by saying, "Mr. Speaker, I had the honour of being born of ———," "Zounds (said a well-known representative of the city) is not that an honour which we all have had?"

Irish Theatricals.—A provincial Theatre in the West of Ireland, lately announced the following laconic Bill of Fare:—On Monday next will be performed, the *Beggar's Opera*; the part of *Filch* by Mr. Sweeney; with a hornpipe in fetters, being his first appearance *since he got out of jail.*"

INSCRIPTION.

Under the Porters' resting-block, at the Elephant and Castle, Newington Butts, Surrey, is the following inscription on a Raven:—

To the memory of Old Ralph, who died by the fortune of war, and was interred with military honours, the 17th of June, 1811.

Beneath this block, poor Ralph now lies,
A cunning rogue was he;
A wicked thief, no one denies,
And ne'er from mischief free.

He also was a tippling elf,
And given much to roam;
But ah! his faults mind in yourself,
And, reader! look at home.

The Shrewsbury Chronicle, supposes

poses Staffordshire *earthenware* to be made at Stafford. This is as wise a conclusion as that of a French traveller, who having an old wig thrown on him in the pit at Drury-lane, reported, that the English had their heads dressed in the theatre.

A poor man complaining to the Hon. Miss V——— (one of the Maids of Honor at St. James's) of the largeness of his family, saying it generally happened that poor people had the most children to keep, was answered, that God never sent more mouths into the world than food to supply them.—"Very true (replied the other), but the *food* is at your house and the *children* at mine."

Hops are so plentiful and *strong*, that a provincial paper says, they make the gatherers *drunk* while picking them.

When the Chief Baron Macdonald complained at the Essex Assizes of an inflammation in his eyes, one of the senior Counsel remarked at dinner, that the ancients always pourtrayed *Justice* blind; to which his Lordship replied, that although they thought it right to picture Justice blind, he never heard that they found it necessary to have their *Judges* blind also!

At the late Rutland Assizes, Sir Wm. Manners had *thirty-five* actions for trespass against his noble relative, the Duke of Rutland, and the gentlemen of his Hunt, several of which are yet to try. Sir William seems determined to overset the *Fox-Hunting Club* in his neighbourhood, and, though no sportsman himself, is determined to *stick close to their brush!*

A sexton and his grave-digger, at Deptford, were lately so much *affected* by some *spirits*, that they actually fell down in a fit and were with great difficulty recovered. The *spirits* appeared to them in the shape of a *cask of gin*.

In a cause tried at the late York Assizes, a witness, of the name of Joseph Homersal, who had been an *Arbitrator* to settle the dispute before the action was brought, having concluded his evidence, Mr. Parke, the plaintiff's Counsel, archly said, "If you are not very busy, Mr. *Arbitrator*, I should be glad if you would stop in York this week, as we may, perhaps, wish to refer some causes to you." To this *quiz* honest *Joseph* bluntly replied, in a strong West Riding accent, "Why, an if ye did, they might happen to be as we'ell sattled as ye'll sattle 'em."

General Zaremba had a very long Polish name. The King of Prussia had heard of it, and one day said to him, "Pray, Zaremba, what is your name?" The General told him the whole of it.—"Heavens!" said the King, "the devil himself has not such a name!" "Why should he, Sir?" replied Zaremba, "he is no relation of my family."

Two Irishmen, who were badly wounded at the battle of Barrosa, happened to lie in the field near each other, and whilst the surgeons were examining his wounds, one of them made a great outcry; when the other, with considerable *non chalance*, sung out, "What are you at, Pat; what a roaring you keep! do you think there's nobody *kilt* but yourself?"

SPORT-

SPORTING INTELLIGENCE.

GROUSE Shooting began on Friday, the 16th instant. A number of noblemen and gentlemen from England have passed through Edinburgh, for the Highlands, to take the amusement of shooting.

KNUTSFORD Races this year were well attended, and boasted a grand attraction of the fashionable world. The sport was excellent. A fatal accident, we are sorry to say, occurred to a servant of Mr. Brooke's, of Mere. He was thrown from his horse when on the gallop, and dislocated his neck; and, notwithstanding instant aid was administered, he expired about three hours after the fall.

THE Stewards appointed for the next Cardiff and Swansea Races, are, for the former, B. Hall, Esq. M. P. and W. E. Powell, Esq. of Nanteos; and for the latter, the first-mentioned gentleman, and J. Owen, Esq. M. P. for Pembroke.

SHERBORNE Races, (Dorset) began on Tuesday, the 6th instant. The 50l. plate was won at two heats by Mr. Dilly's br. h. Bustard, beating Mr. Roper's Speculation and Sir W. Call's Woodlark, which was drawn after the first heat. The Sweepstakes were not run for. Wednesday, only two horses (Mr. White Parson's Mat-o-th' Mint, and Mr. Charitie's Bang-up) being entered for the 50l. for ponies, it was not run for; but the two horses were afterwards handicapped, and Mat-o-th'-Mint won easy. The company was genteel, but not numerous.—E. B. Napier, Esq. is Steward for the next year.

A SHOCKING accident occurred at the Reading races, on the third day. As Mr. Batson's ch. m. Gift was passing the winning-post, she was thrown down by a stupid fellow riding across the course, and so much injured, that we understand she is since dead, and the rider remains in a dangerous state.—The recurrence of accidents, year after year, is disgraceful to the clerk of this course, owing to his neglect in not providing against the trespass of horses within the lines, to the danger of foot people. It has been a constant practice on Reading course, and the calamities which have before happened have had no effect in remedying the boobyish practice.

STACKPOLE Court, in Pembrokeshire, the elegant seat of Lord Cawdor, was the scene of much festivity and diversion on Monday, the 5th instant. The company invited to enjoy the sports was unusually numerous, and the polite attention of Lord and Lady Cawdor to the guests was universally acknowledged. The Cup given by Lady Cawdor, for horses bred in the hundred of Castlemartin, was won by Mr. Davies's b. h. Spank, beating a bay mare belonging to Mr. Roberts; and Mr. Voyle's Sprightly won the Sweepstakes, after a contest with Mr. Allen's and Mr. Phillips's fillies. These races were succeeded by the rustic diversions of girls running for a gown, men jumping in sacks, &c. &c.

&c. which afforded great entertainment. The evening closed with a ball, at the Green Dragon, Pembroke, at which all the beauty and fashion of the neighbourhood were present, and supported the sprightly dance till an early hour.

Eton College Races—On Thursday, the 15th instant, the races on South Down Meadows were revived, after a suspension of twenty years, and produced some excellent sport. There was a considerable assemblage of fashionable company on the race-course each day.

The Silver Cup for ponies was run for by

Mr. Simpson's Steady	3	3	1	1
Mr. Cannon's Pay or Play	2	1	3	2
Mr. Brownrigg's Violante	1	4	2	dr.
Mr. Bickley's Hobnail	4	2	4	3

The Maiden Silver Cup.

Mr. Golding's Button	6	5	1	1
Mr. Hawke's Chippenham	1	2	3	dr.
Mr Cooke's Gernette	7	3	2	2

Mr. Gee's Punch, Mr. Benson's Japan, Mr. Jacob's Badger, and Mr. Pine's Chance, were drawn after the first heat.

On Friday the Members' Subscription Cup was run for by

Mr. Perkin's Weazle	2	1	1
Mr. Golding's Button	3	4	2
Mr. Hill's Paddle	1	2	3
Mr. Bickley's Hobnail	5	3	4
Mr. William's Postboy	4	dr.	

The Etonian Subscription Purse was won by Mr. Hill's Paddle, beating Mr. Brownrigg's Violante in two heats.

The races concluded with several well-contested matches, and balls in the evening.

The Nabob of Oude lately gave a grand hunt, to which a number of European officers were invited, and in the course of which not fewer than twenty large tygers, which had long infested the country, and committed great depredations, were destroyed. Some elephants were, however, wounded in this diversion, and two or three of the hunters killed. An European gentleman (Mr. Collet), was dangerously wounded.

A spirited buck hunt afforded high sport, on Friday, the 16th instant, in the neighbourhood of Carclew, Cornwall. Five dogs, belonging to Stephen Usticke, Esq. turned him out of Sir William Lemon's plantations, and after a delightful chase of six hours, killed him in fine style in Ponsneuth river, in Cosawes wood.

At the late Sussex Assizes, an action was brought, *Playsted* v. *Tomset*, to recover damages for an assault. The plaintiff and defendant were both farmers at Wadhurst. The dispute arose out of a hunting match, in which the plaintiff's dogs had gone over the defendant's lands. The circumstance occurred on the 25th of January last. The plaintiff was riding along the lane adjoining to the defendant's lands, when the latter abused him in very coarse language for suffering his dogs to go over his lands. The plaintiff replied he had not himself been on his lands, but he could not prevent the dogs straying. After some few words more the defendant struck the plaintiff in the face, and drove him some paces backwards.—The Jury found for the plaintiff—damages 20s.

An action was brought at the late Oakham Assizes, against a person, to recover damages on account of his dog having worried some

some sheep belonging to a neighbour. It appearing in evidence that there were two dogs engaged in this predatory excursion, one only of which belonged to the defendant, his Counsel submitted whether his client could be held liable, as it was doubtful which animal was the criminal. The Judge held, that even if one was principal, the other was an accessary, and therefore both were liable. They were conjoint trespassers, and therefore liable jointly and severally. It was a remarkable circumstance, said his Lordship, but it was well known, that dogs agreed together to go out upon these marauding expeditions.—Verdict for the plaintiff.

A DOG-stealer was committed for trial on Tuesday, the 13th instant, from Marlborough-street Police-Office, for having stolen a pointer, which he had sold to a Mr. Nightingale for eight guineas. He had sold the dog again to another gentleman, of whom it was owned by Mr. N——, and it turned out that the dog was originally stolen from Hounslow; and the prisoner confessed having stolen and sold the dog five several times in one month.

A PIGEON match for 100 guineas, betwixt two amateurs, of the names of Allingham and Nott, took place on Monday, the 29th ult. on Walham Common, near Godalming, Surrey, at twenty-one birds, which was won by the former bagging seventeen birds to fifteen. The winner engaged afterwards to kill five birds out of six, and he killed the six, for a wager of twenty guineas.

ON Wednesday, the 24th ult. Mr. Golding, gunmaker, of Bury, undertook for a wager to shoot patent shot through a solid deal board, 5-8ths of an inch thick, at the distance of fifty yards, which he performed with a barrel two feet seven long. The great velocity with which his guns shoot, is attributed to his late improvement on the patent breech.

ON Thursday, the 1st of August, a shooting match took place betwixt the Kyle Shooting Club and the Glasgow Caledonian Marksmen, at Galston, in a park belonging to Mr. Wardrope, Preses of the Cunningham Marksmen. The party consisted of eight persons from each, who shot twenty-four balls each, at targets of three feet diameter, placed at the distance of 170 yards. On measuring the nearest half of the balls shot by each party, that of the Kyle Shooters measured 537$\frac{5}{8}$ inches, or average 5$\frac{1}{2}$ inches each ball; and that of the Caledonian Marksmen 360$\frac{1}{8}$ inches, or average 3$\frac{3}{4}$ inches each ball; so that the Caledonians gained by 177 inches. After shooting, the parties, along with several of the Cunningham Marksmen, dined together, and spent the evening in the most social manner.

THE following ludicrous affair was on Thursday, the 1st instant, practised near Chichester; it was the old stale trick of a cat drawing a man through a pond: A currier, not so knowing as his shopmen, was certain that no cat in the city could serve him so, he therefore consented to try this experiment. A rope was fastened round him; puss, placed on the opposite side, had also a part of it; and some of his comrades, out of sight, held the end of it. The signal being given, resistance

resistance was in vain, and he was most completely soused, being easily dragged to the opposite shore. This poor fellow, astonished at the apparent strength of the little animal, calmly observed, that he did not suppose the cat was so strong.

Mr. Blackie, a Somersetshire pedestrian, undertook for a wager of 300gs. to perform the Barclay match of 1000 miles in 1000 hours; but became afflicted with swollen legs to a frightful degree, on the twenty-second day of his labour, and resigned on the twenty-third day, reduced from 14st. 6lb. to 11st.

Two gentlemen, of the names of Dufour and Craig, started on Monday, the 5th instant, for a wager of fifty guineas, to run from the middle of Holborn to Bow. Each betted that he performed the distance within an hour, such being eight miles and a half. Mr. Dufour won by six minutes, he having performed the distance in fifty-four minutes.

Mr. Oliver, the pedestrian, who started on Friday, the 26th ult. to go one hundred miles in twenty-four hours, performed his task with that sort of difficulty which none but a determined game man could have encountered, in ten minutes less than the given time. He arrived in London before two o'clock on the Saturday morning, in a crippled state, having, however, done the last ten miles in two hours.

On Thursday, the 8th instant, a foot race was run in Throwley Park, Kent, for 40gs. between Benjamin Coleman and William Brice; Coleman giving Brice one rod and a half in forty, which was won by the latter.

Wrestling.——Saltash diversions, Cornwall, ended on Saturday, the 27th ult. where the amateurs of wrestling were highly gratified by seeing the two great Devonshire players, Jordan and Wadling, play against two Cornish men, Parkin and Jolly, who came from St. Columb, purposely to play with them, in consequence of its being erroneously inserted in some of the newspapers that Jordan alone threw at Torpoint fair, fifteen of the best players in Cornwall. We understand these two great champions of Devonshire were both put on their backs in less than two minutes, by Parkyn and Jolly, who were declared, without the least dispute, to be the victors, and had the first and second prizes given them, and Cowling, another Cornish player, won the third prize. The Cornish gentlemen offered on the ground (in answer to a bet offered at Crediton,) to get ten Cornish men who should play against the same number of Devonshire men for any sum, from one hundred to a thousand pounds.

A grand wrestling match took place near Exeter, on the 5th instant, which afforded, as was expected, a great treat to the lovers of that sport. In the course of the day forty-one matches were played, nearly the whole of which were obstinately contested. There were twelve players, each of whom had thrown two men, or thrown one and held out two; these being well paired, produced some excellent turns, and displayed uncommon powers of strength and activity. The prizes were at length won by

Pope, of Sandford .... first prize;
Coplestone, of Exeter.. second do.;
Snow, of Moreton .... third do.

The day was very fine for the sport, and the concourse of spectators to witness it amounted to scarcely less than *seven thousand.* The subscriptions being liberal, the amount of the prizes for the next year will be considerably increased.

In a previous part of this Number, we have noticed the committal to prison of Daniel Dawson, on a charge of poisoning some horses at Newmarket in 1809.—There is no crime upon which the Legislature has frowned with more indignation, than upon that abominable offence of wantonly and wickedly destroying this useful and noble animal, and therefore they deemed it right to pass an Act making it a capital offence to destroy it maliciously. For we find by the statute 9 Geo. I. cap. 22, that it is enacted, "That if any person, after the 1st day of June, 1723, shall unlawfully and maliciously kill, maim, or wound any horse or other cattle, he shall suffer death as in cases of felony, without benefit of clergy." And we further find that this statute is made perpetual by the 31st of Geo. II. c. 42. —At the Assizes for the county of Essex, held in the summer of 1761, a man was tried, found guilty, and executed for this offence. It were much to be wished that some Legislative regulation should take place relative to using these animals ill, and we must say that the failure of Lord Erskine's Bill on the subject is much to be regretted.

Crib and Molineux.—The following paragraph appeared in most of the Scotch newspapers:—

"On Sunday last, Crib, the celebrated pugilist, arrived in Aberdeen, on a visit to a gentleman there. He is at present in training, in Ury, the seat of Captain Barclay, preparatory to the great battle to be fought with Molineux, on the 27th September, near Doncaster. On this match not less than 50,000l. are already betted; and Crib stakes 100 guineas of his own money on the issue. Betting, however, is at present equal. This celebrated boxer is at present the champion of England, having fought and gained the following pitched battles, besides many casual ones, in which he never was beat; viz. with George Maddox, January, 1805; Thomas Blake, February, 1805; Ikey Pig, May, 1805; Richmond, the black, October, 1805; James Belcher, 1807; Horton, May, 1808; Gregson, October, 1808; Belcher, February, 1809; and Molineux, December, 1810. Crib is now only thirty years of age."

This paragraph was also inserted in the *Edinburgh Star,* accompanied with the following comment:—

"When the amount of money collected for the relief of British prisoners in France, now suffering for the cause of their country, scarcely amounts to 49,000l., there is—Blush oh Britain!—there is, 50,000l. depending upon a *boxing match!* the champion Crib's arrival, and *on a Sunday* too! on a visit to a gentleman of Aberdeen, (we should be glad to know what kind of gentleman he is), on his way to Captain Barclay's seat, where he is to go into training—this must be announced, forsooth, as if he, the *meritorious* Crib, did honour to the city of Aberdeen by his presence!!! what will the starving manufacturers of Scotland say

say when they read this! Shame, shame upon it!"

In consequence of these remarks, Crib addressed the following card to the Editor:—

"Mr. Crib presents his respects to the Editor of the *Edinburgh Star*.—Mr. Crib saw (with what satisfaction the Editor may suppose) the paragraph relating to him in a late Paper, and he will take the opportunity of soon passing through Edinburgh, to make due *personal* acknowledgments for the favour done him.—Ury, by Stonehaven, 28th July, 1811."

To this card, the Editor, in his paper of the 6th, makes the following reply:—

"If Mr. Crib, by *personal acknowledgments*, means any thing in his *professional* line, as we are not adepts in the noble *science* of boxing, we think it would be but fair to give us a little time to procure a champion, and put him in training: perhaps Mr. Crib's friend, at Aberdeen, might be induced to superintend his education."

The battle between Crib and Molineux will not take place at Doncaster, as first intended, some of the Magistrates having publicly expressed their determination to resist an attempt of the sort. The battle will most likely be fought about a hundred miles from town, on the skirts of several counties.

On Saturday, the 17th instant, Messrs. Richman, Molineux, and Belcher, exhibited the feats of their art before about six hundred spectators, at Harper's Gardens, Norwich. The latter exceeded the others infinitely in quickness and dexterity. They were encountered by three *natives*.

A skilful and determined battle took place on Paisley Common, near Canterbury, on Saturday, the 27th ult. betwixt T. Dawson, a farmer, and Freeling, a teacher of the pugilistic science, for fifty guineas a side. The first round was scientifically contested for seven minutes, and some pleasing traits of science were given; but Dawson was at length hit down by a blow in the right jugular vein. Twenty rounds were fought in fifty-eight minutes, when the men's features were completely disfigured, and Dawson gave in without a glimpse of sight.

On the last day of Barnet races, a very severe and well-contested battle took place between a tailor and a countryman, which lasted one hour and seven minutes, during which time upwards of fifty rounds were exchanged of sound determined milling, and much science and courage displayed on both sides, to the astonishment of the amateurs, when the countryman, being nearly blind, and extremely weak, through the loss of blood, gave up the contest, although his bottom would have served an hour longer.

About three o'clock Thursday morning, the 1st instant, two countrymen, who were keeping it up after Buxted Fair, quarrelled at the public house, and went out to fight, when one of them, a fine youth about eighteen years of age, received in the third round an unlucky blow that killed him on the spot. Coroner's Verdict, *Manslaughter*.

On Saturday, the 10th instant, a battle was fought at Fakenham, Norfolk, between the noted Christopher Cox, of Scalthorpe, and J.

 Withers,

Withers, the blind boy, servant to Mr. E. Holman, of the former place. After two severe rounds, in which Cox was thrown by his adversary, the conceit was pretty well taken out of him; some little sparring then took place, when Cox was again knocked down by a right-hand facer, and after several other rounds, which were all in favour of Withers, Cox was completely beat off his legs.

A DREADFUL pitched battle, for forty guineas, was fought on Saturday, the 10th instant, on a Common near Buntingford, Herts, betwixt George Gorman, an Hibernian of considerable strength and science, and Harry Walters, a coachman, and a known bruiser. The combatants fought one hour and twenty minutes, at half minute time, and Gorman had the best of the set-to for twenty minutes, by greater length, and hitting out with his adversary, who consequently was often hit down. Science, more than was expected, was exhibited on each side, which, added to the determined courage of the men, rendered the fight equal to any exhibited with Moulsey Hurst professors. The men were also *good-plucked*, to use the modern slang, for they hit until they had not a hit in them, and Gorman was unable to appear until half a minute over time; and the Chelmsford Jury having so far agreed with the rules of boxing as to call this losing, both the men were carried off the ground in a helpless state. Jones and Powers seconded the winner.

ON the 13th instant died, after a few days illness, Mr. Mansell, head game-keeper to the Duke of Rutland. He had come down to Bumper Castle, near Hornby, in the North Riding, about a fortnight ago, with his Grace's pointers, preparatory to his Grace's arrival on the 18th, for the purpose of shooting grouse. Mr. Mansell was in the prime of life, highly esteemed by his Grace, and his death will be greatly lamented by his family and friends.

ON Tuesday, the 13th instant, died, aged sixty-nine, Mr. John Marshall, of Derby, hosier, and Clerk of the course. He was well known on the turf, and much respected and lamented.—His death was awful and sudden; a few minutes previous to the horses starting for the sweepstakes at the races, he fell from his horse and expired immediately.

THE proprietor of a gambling E. O. Table, with his *Bank*, received a *check* a few days since at Brighton, and was taken into custody on the road to Lewes. He contrived to escape the vigilance of the constables, leaving, instead of E. O. his initials, D. I. O. behind him.

ON Monday, the 29th ult. two men, charged with poaching at Maresfield, were taken with their lurcher dog, before Lord Sheffield, who ordered the dog to be killed, and fined the men ten pounds each; but being unable to pay it, they were committed to the House of Correction for the space of three months.

A SHORT time since a full-grown leveret was killed near Presteign, with a milk-white head, neck, breast, fore legs and hind feet.

POETRY.

POETRY.

THE HIGH COURT OF DIANA.

SUBLIME PUGILISTIC POETRY.

Written by R. Gregson.

BRITISH LADS AND BLACK MILLERS.

YOU Gentlemen of fortune attend
unto my ditty,
A few lines I have penn'd on this great
fight,
In the centre of England the noble place
is pitch'd on,
For the valour of this Country or Ame-
rica's delight;
The sturdy Black doth swear,
The moment he gets there,
The planks the stage is built on, he'll
make them blaze and smoke;
Then Crib, with smiling face,
Says, these boards I'll ne'er disgrace,
They're relations of mine, they're old
English oak.

Brave Molineux replied, I've never been
denied,
To fight the foes of Britons on such
planks as those;
If relationship you claim, bye and bye
you'll know my name,
I'm the Moorish milling blade that
can drub my foes.
Then Crib reply'd with haste,
You slave I will you baste,
As your master used to cane you, 'twill
bring things to your mind:
If from bondage you've got clear,
To impose on Britons here,
You'd better stopp'd with Christophe,
you'll quickly find.

The garden of freedom is the British
land we live in,
And welcomes every slave from his
banished isle,
Allows them to impose on a nation good
and generous,
To incumber and pollute our native
soil.
But John Bull cries out aloud,
We're neither poor nor proud,
But open to all nations, let them come
from where they will:
The British lads that's here,
Quite strangers are to fear,
Here's Tom Crib, with bumpers round,
for he can them mill.

AIR,

Sung by Mr. Horn, in the Comic Opera of UP ALL NIGHT, *&c.*

I love to rise at early morn,
To hail the sun's first cheering ray;
I love to mark, where, whistling gay,
While yet the dew-drop deck'd the
thorn,
To work the peasant plods his way,
Rejoicing in the new-born day.
I love to see, with down-cast eye,
The ruddy milk-maid passing by;
But most I love to hear
The jovial sportsmen near,
While in the woods around
The cheerful notes resound.
Then join the cry, and hail the morn,
With hardy huntsmen, hounds, and horn!

SONG,

Sung by Mrs. Bland, at Vauxhall.

A Youth to me a wooing came,
For pity did implore me,
And hop'd I ne'er could slight or blame
The lad that must adore me.
I lik'd him much, but hid my plan,
To see how he'd repute me;
So, frowning, cried, don't teaze, young
man,
You don't exactly suit me.

He

He seem'd amazed, quite vex'd, he star'd,
Then vow'd he'd ne'er deceive me;
Says I, your presence can be spared,
And therefore, pray Sir, leave me.
To leave you, love, I never can,
I swear by all your beauty;
Now pray, says I, don't teaze, young man,
You don't exactly suit me.

He started, sigh'd, hung down his head,
Which prov'd I'd fairly caught him;
O haste, my love, to Church, he said—
You see to what I'd brought him.
Dear Sir, says I, if that's my fate,
To wed's a Woman's duty;
Let's fly, or we shall be too late—
You *now* exactly suit me.

ANGLING.

Inscribed to the Editor of "Songs of the Chase."

(Continued from our last Number.)

NOR let your hook, a fault which oft occurs,
Be left expos'd to scare the timid game;
Down, cotton, velvet, feathers, tissues, furs,
Unite their aid the curious garb to frame.

Florella thus, if she with fond success
Would charm us (charm'd alas! with too much ease)
Must study ev'ry elegance of dress,
Each fav'rite mode, each ornament to please.

Climates remote, to forward the design,
Must at her toilet their joint tribute pay;
See the phantastic airy charmer shine,
Prompt to dissemble, gaudy to betray!

But to attend the busy Angler, where
He shifts progressive down the winding stream,
Be now the object of the Muse's care,
A not inglorious, though an humble theme.

On a green bank he takes his watchful stand,
Silence and hope his mute companions twain;
Then casts his arching line with practis'd hand,
While no rude brambles it midway detain.

Quick o'er the glassy brook's serene expanse
It playful glides, in many a pleasing frisk;
In gazing crowds the cautious fish advance,
Wary as yet the bold attempt to risk.

Sportsman, despair not; ply your finest art,
Shift circumspect, and humour as you move,
Where bubbling rills in distant channels part,
Or pendant branch luxuriant waves above.

Or, where translucent the wide pool receives
The gurgling streamlet, by no stoppage held;
Or, in alternate circles, gently heaves
Refluent, from the shrubb'd oozy bank impell'd.

Beneath that pond'rous stone's projecting seat,
Deep hid in mud, the parent trout resides;
There, with a jerk, direct your pinion'd bait;
Behold! he stirs, and near the surface glides.

Skim light your fly against the silver tide,
Or with the current let it move with ease;
Leave no ingenious lesson unapply'd,
Lose no position that will surest please.

Impatience and confusion wisely shun,
Coolly observant, and discreetly slow;
Whate'er the office, or the task begun,
Rashness is justly held their greatest foe.

Reserve and coyness conquer'd by degrees,
His spotted sides he ventures now to show,
In wanton pranks:—O! for a friendly breeze,
With gentle curl adown the stream to flow!

Rustling the shrubs, reclin'd from side to side,
It breathes, obsequious to his ardent wish;
In liquid furrows lift the yielding tide,
Sad omen to the unsuspecting fish.

Vainly

Vainly intent far other prize to share,
While a dusk cloud o'ershadows all the sky,
Dauntless he leaps, lur'd by the specious snare,
And desp'rate seizes the deceitful fly.

Writhing he flounces, frantic with his pain,
The feather'd hook deep-fix'd within his jaw;
His speckled fellows he implores in vain,
From his misfortune, cautious, they withdraw.

He runs, he shoots, indignant through the brook,
And tugs the shifting line with ceaseless gill;
Angler, attend, be wary with your hook,
The present moment claims your nicest skill.

Fain would he seek his old secure retreat,
Beneath the tangles on an ancient tree,
Where he was wont to shun the sultry heat,
The monarch of the flood, from danger free.

A thousand ways he pulls th_ bending rod,
Struggling for freedom with incessant strife;
Or, by a secret well-dissembled fraud,
Floats down the stream, as if depriv'd of life.

But, lo! not long abandon'd to despair,
Near and more near approaching to the side,
Again he stretches out the lengthen'd hair,
And furious lashes the unconscious tide.

Now see him bounce aloft, now plunging sink,
Vainly the barbed death to disengage;
Quick let the Angler play him to the brink,
In idle toil exhausted all his rage.

On the green turf he throws his beauteous prize,
Successive gasps dilate each crimson gill;
He gazes on it with insatiate eyes,
Nor fails to pass encomiums on his skill.

One strong effort ends all its feeble strife,
It rolls, it twists, it quivers with its tail;
Then spends in fluid air its panting life,
While oozing blood distains its polish'd mail.

O, could the Muse end here her sylvan strain,
Nor wake to harsher notes the conscious reed!
Must pleasure ever be allied to pain,
As shadows from their substance ne'er are freed?

When bursting torrents from the skies descend,
And swelling floods their trembling mounds o'erflow;
That seem abroad vindictive to portend,
A second deluge on the world below;

To yonder swain in lonely copse repair,
(Can censure here repress her wrathful tongue?)
See him the hook of sharbest barb prepare,
The living bag loose on his button hung.

From this a helpless innocent he draws,
A reptile call'd, though heard not to complain,
Design'd to feel, by Nature's sapient laws,
The thrill of pleasure, and the smart of pain:

It from the kind investing moss he hales,
That moss its native cov'ring wont to grow,
And on the hook with merc'less hand empales,
Twisting convuls'd in agonizing woe.

Deep in the flood he throws the mangled bait;
A bold advent'rer from the finny throng,
With fatal greed, devours the certain fate,
Plunges, and heaves, and drags, and darts along.

Blame not, ye youths, to rural sports inclin'd,
The angry Muse, but as a friend severe;
Pity's the noblest passion of the mind,
A fiend, an angel, without pity, were.

Think, Angler, what excruciating smart,
The harmless victim, unappris'd, must feel;
When, close adherent to its bleeding heart,
Remorseless forth is torn the pointed steel.

Leave

Leave death and carnage to the reeking knife,
That thins the fold, the meadow, and the stall;
No creature idly ravish'd of its life,
Alas! unable for relief to call.

Nor let your circling nets, with hollow sweep,
Exhaust the rivers of their speckled brood;
Convey your engines to the billowy deep,
Where squammy millions roam, a common good.

And, haply, if an useless prize too young,
With feeble pull bend your reluctant rod,
Back let the tender forward thing be flung,
Toss not the infant on the mossy sod.

With piteous eyes his tender youth behold,
Long should he yet in sportive freedom glide;
Few dawning suns have ting'd the hills with gold,
Since first his fins essay'd the silver tide.

Ere two succeeding springs, with genial beam,
In verdant foliage clothes the mantling grove,
Grown to full size, the father of the stream,
Again for food, exulting will he rove.

Then to the spacious river's grassy banks,
Humid with pearly drops of ev'ning dew,
Lead him, indulging o'er his youthful pranks;
The conquest justly is reserv'd for you.

EVENING.

HOW sweet 'tis to rove at the close of the day,
O'er daisy-clad meads, by a soft murm'ring rill,
When the thrush from the brake pours his evening love lay,
And Sol's parting beams tinge the furze-covered hill;
When the rustic's loud laugh tells a heart void of care,
With the maid of his bosom delighted to roam;
When eager the joys of his cottage to share,
The labourer, wearied, thinks long for his home.

Now wrapt up in mist is the mountain's steep brow;
No longer the din of the village is heard;
Now lost is the landscape, late beauteous to view;
No sound strikes the ear, save one sorrowful bird:
'Tis the partridge's wail, for his far distant mate—
Let man learn affection from each feather'd pair,
And reflect on the days he has spent, ere too late;
Still thankful, midst sorrows, for blessings that were.

In life's rosy morn, full of frolic and joy,
Light hearted, in quest of new pleasures we fly;
Till noon brings its cares, many a hope to destroy,
And the thoughts of the past will oft force a deep sigh.
Eve steals on apace, and oft finds us in tears,
For in friendship, in love, constant changes we see;
Each wound of the heart deeper grows with our years,
And the evening of life's seldom tranquil or free.

ON A MOON-LIGHT EVENING.

HOW Luna spreads on ev'ry side,
Her silv'ry veil of light so pale!
Her am'rous beams, how swift they glide,
To kiss each flow'ret in the vale.

Glow worms, now, their light are shedding,
Gilding cowslips with their ray;
Around their lucid charms they're spreading,
To light the beetle on his way.

Ah! gently tread the humid ground,
Where'er the dewy drops are seen!
Ah! spare the gems, which, glitt'ring round,
Bedeck each trembling leaf so green.